

CIVIL GOVERNMENT
OF THE
UNITED STATES AND
WISCONSIN

W. C. HEWITT



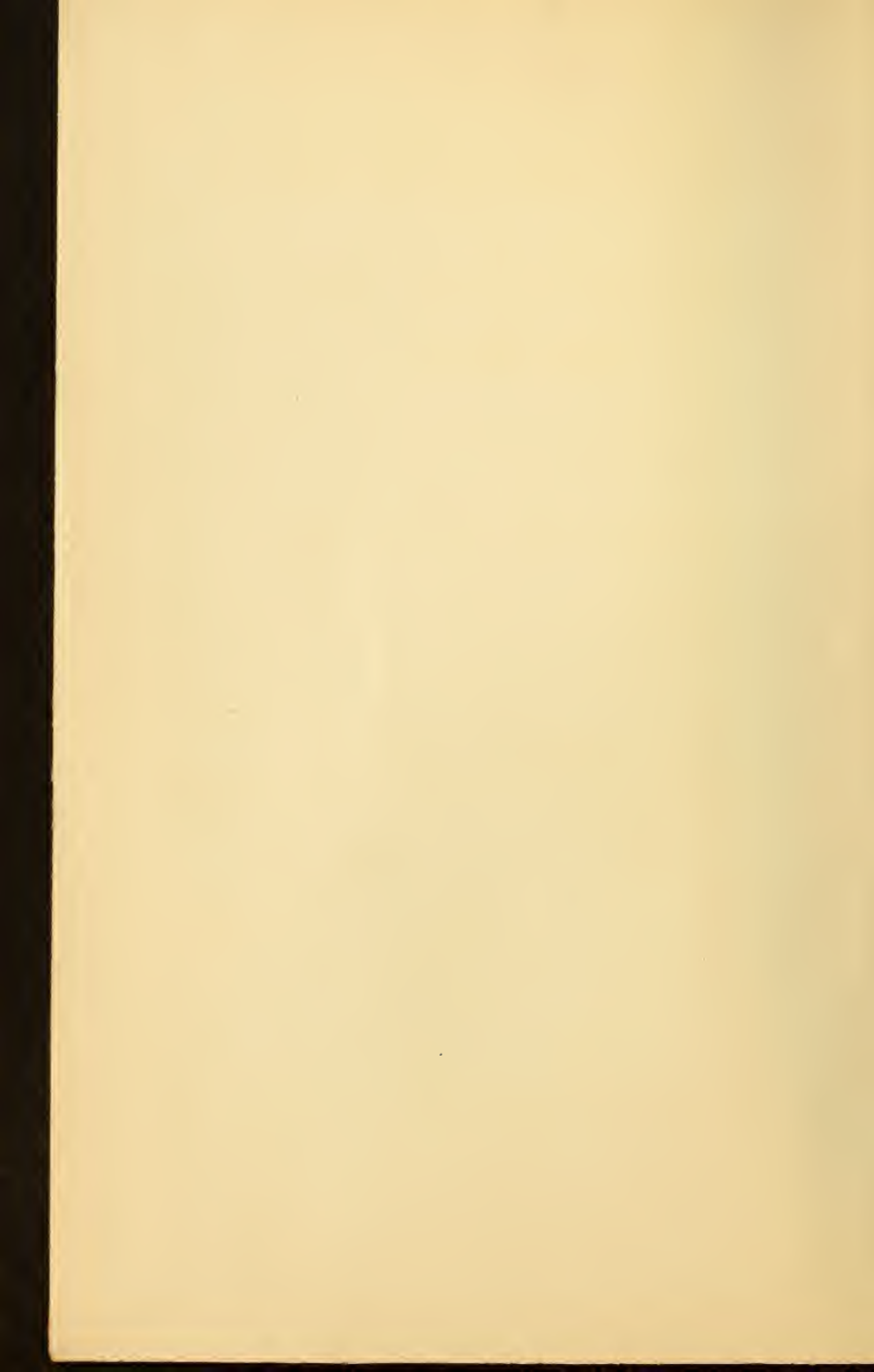


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Civil Government

OF THE
UNITED STATES AND
WISCONSIN

For Common Schools and High Schools

BY

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State Institute Conductor of the Oshkosh State Normal School

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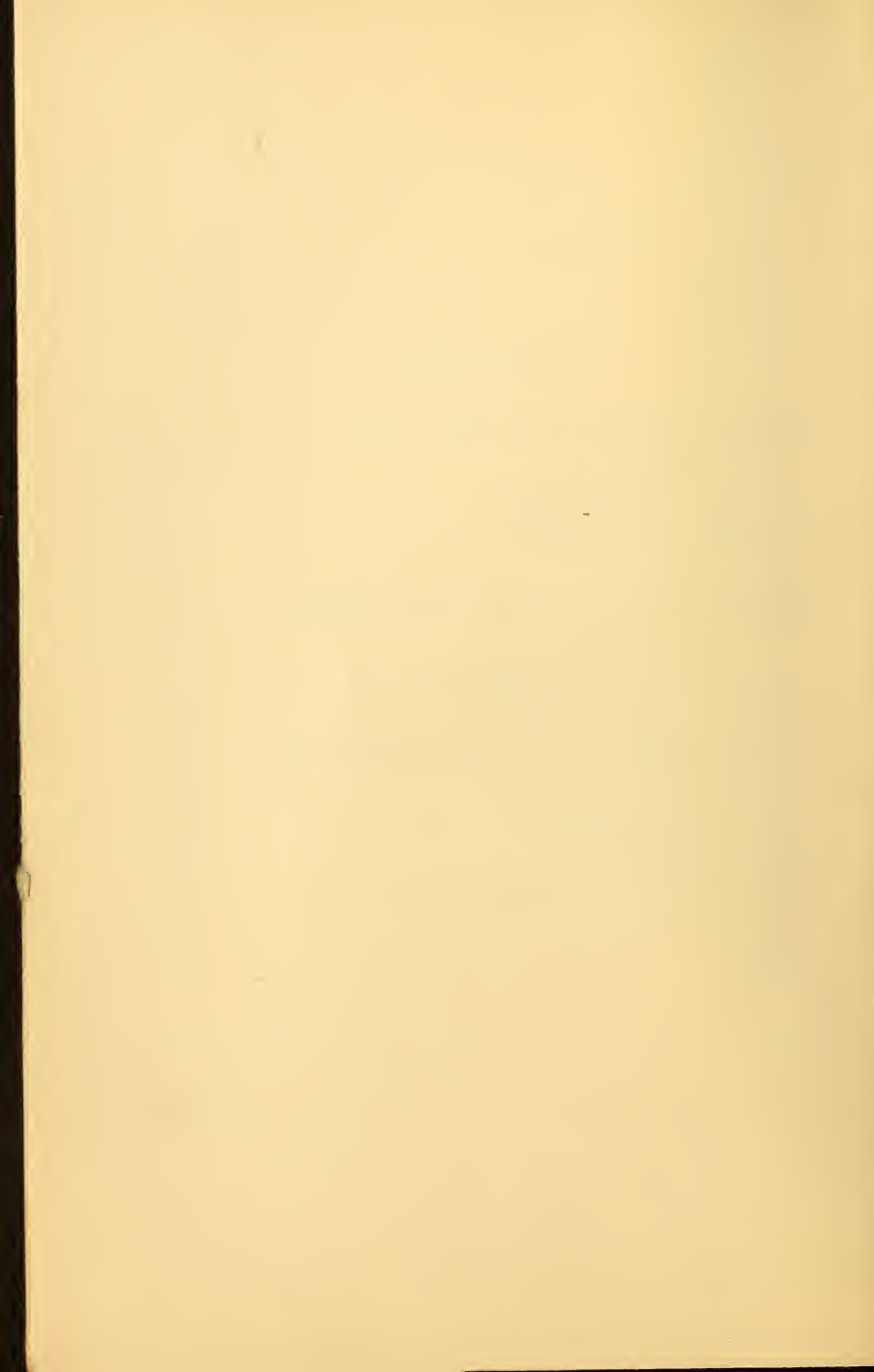
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INTRODUCTION

This brief outline of our National and State Governments is designed to bring to the pupil the leading and important facts of Civil Government.

Many subjects have been omitted intentionally, but have been brought to the pupil's attention by means of questions.

The questions are designed to stir up the pupil's thought, and to inspire him to investigate and discuss. We believe that nearly everything in these outlines can be taught as assigned lessons, and if more of philosophy and history are needed, they can be supplied by the teacher, or looked up in books of reference.

The proper approach to any subject is through an organic Topic. But before the topic can be developed many things must be known, and nothing so stimulates knowledge as to approach it by means of a challenge or a question.

It is hoped that teachers will find the questions and exercises practical, stimulating and helpful.



CIVIL GOVERNMENT

THE CONSTITUTION OF THE UNITED STATES

I Introductory

The Constitution as we now have it is an outgrowth of the necessities of government experienced by the Colonies and States prior to 1789.

From very early days the Colonists had found some form of Union necessary to their existence. In 1643, a group of the Colonies united for protection against the Indians.

In 1754, a Congress convened at Albany, to adjust relations with certain Indian tribes, and "for security and defense," but its action was not ratified by any of the Colonies.

In 1765, twenty-eight men representing nine Colonies met in New York to consider their relations with Great Britain. During the next nine years the spirit of independence was kept alive by "committees of correspondence" between the Colonies.

Out of these agitations, caused primarily by the measures of the English government for the government of the Colonies, grew the Continental Con-

gresses which continued in session from 1774 to 1781.

These movements looking toward a central union reacted strongly upon all the states, so that before the year 1778 nearly all of them had adopted new Constitutions.

The last effort toward union prior to the adoption of the Constitution was the formation of the Articles of Confederation, under which the States worked from 1781 until 1789.

Delaware was the first to ratify the Constitution, December 7, 1787; and Rhode Island the last, May 29, 1790.

When people are dissatisfied with a Constitution they generally amend it; but the defects of the Articles of Confederation were so many and so fundamental, that when the convention tried to remedy their defects, it was found easier to frame an entirely new Constitution.

As might be expected, the Constitution is a compromise of opposing interests and principles. During the time that the States were considering the new constitution, parties were born and issues drawn that have persisted even to this day.

“Who should be the ‘people,’ who should pay taxes, and how; how should the States be represented; should slavery exist or be recognized; how should the people be safeguarded in their political social, and religious rights” — these were the questions of great debate, and in one form or other continue to be the things around which, and for which, parties gather and contend.

SUPPLEMENTARY QUOTATIONS

When the committee that was selected to draft the Constitution reported back to Congress, they said:

"It is obviously impracticable in the Federal Government of these States, to secure all right of independent sovereignty to each, and yet provide for the interest and safety of all. Individuals entering into society must give up a share of liberty to preserve the rest.

"In all our deliberations we kept steadily in our view that which appeared to us the greatest interest of every true American — the consolidation of the Union, in which is involved our prosperity, felicity, safety, perhaps our National existence."

QUESTIONS AND EXERCISES

1. Give in chronological order the attempts at Union among the Colonies and States, and tell what was the moving purpose in each.

2. Upon what did the large and small States differ when they were adopting the Constitution? The Northern and Southern States?

3. Name three distinguished men who bore part in drafting the Constitution.

4. What was the *Federalist*, and what part did it play in the adoption of the Constitution?

5. Why is the period from 1781 to 1789 called the "critical" period?

II The Legislative Power

Before beginning a sectional study of the United States Constitution, the student should take a general look at the whole instrument — noticing the “enacting clause,” that there are seven “Articles” which are divided into “Sections,” and the sections into “Clauses”; that there is a group of fifteen “Amendments” divided into Articles and Sections; and he should also note the language in which the Constitution is written, how clearly and succinctly it reads.

ARTICLE I

SECTION 1. “All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.”

SECTION 2. *Clause 1.* “The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the elector in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.”

1. The Constitution does not directly say who shall vote for members of the House of Representatives but declares in effect that if one can vote for

members of the "most numerous" house in his own State, then he can *de facto* vote for United States Representatives.

2. To vote for a United States Representative, then, a resident in Wisconsin, must fulfill the following conditions: the voter or "elector," must be a male, at least twenty-one years of age, and must be a citizen of the United States, or have declared his intention to become one, and must have resided one year in the State next preceding the election, and in the election district at least ten days.

3. By Article XV of the Amendments, negroes are given the suffrage, and States are forbidden to deny or abridge their rights, but in one way or another many of the States have practically disfranchised them. In 1898, Louisiana required certain property and educational qualifications, then she excepted from the qualifications, all those whose fathers were voters in 1867, or before, which of course practically establishes white suffrage only. This latter clause is known as the "Grandfather Clause."

4. Congress has enacted that the election of Representatives shall in general be by districts, determined by the State Legislatures, and on the first Tuesday after the first Monday in the even numbered years.

Sometimes Legislatures have districted their States so as to favor one or the other political party. This practice has been called "Gerrymandering."

Clause 2. "No person shall be a Representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen."

Clause 3. "Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not exceed one for every thirty thousand, but each State shall at least have one Representative; and, until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three; Massachusetts, eight; Rhode Island and Providence Plantations, one; Connecticut five; New York, six; New Jersey, four; Pennsylvania, eight; Delaware, one; Maryland, six; Virginia, ten; North Carolina, five; South Carolina, five, and Georgia, three."

1. One of the questions long debated before the Committee that drafted the Constitution was, Who shall be counted in the population? If all the slaves

were counted, then the South would have the advantage; if none were counted, then the North would have a larger proportion of Representatives; so a compromise was reached to the effect that three out of every five slaves should be counted. This is the famous "three-fifths clause."

2. In Section 2 of Article XIV of Amendments, Clause 3 of Article I is repealed, and it is provided that if any State denies the right of suffrage to male members thereof, then in that degree the representation of the State shall be reduced. States have denied the right of suffrage to Negroes under different pretexts, but Congress has never yet made the reduction, although efforts have been made to do so.

Suppose a State having two hundred thousand Negro voters and one hundred thousand white voters, should limit the suffrage to white voters, then if the State had ordinarily twelve members of the House of Representatives they could be reduced to four.

The general impression, North and South, seems to be that the South by limiting the Negro vote is doing what is best for both races, and likely will be left to work out her own salvation.

3. The "Enumeration" referred to in Clause 3 is the census which is taken every ten years.

The work of taking the census is now in charge of a permanent census bureau. The results of a census are very important as it shows the condition and progress of the people. In the census are given the age, sex, nativity, literacy, health, and wealth of

the American people. The condition of commerce, agriculture, and manufactures is given, and every item of taxation and expenditure is clearly set forth. Legislators learn from the census the country's needs, and are thus enabled to make wiser laws.

4. At first the number of Representatives was sixty-five, then it rose to 105, with a ratio of one member for each thirty-three thousand of population.

The present number is 371 with a ratio of about 194,000.

When the ratio is changed Congress determines on how many members shall constitute the House, and then the population is divided by this number. When a new State enters, its population is divided by the ratio to determine the number of Representatives, provided always that each State shall have at least one Representative.

Clause 4. "When vacancies happen in the representation from any State, the executive authority thereof shall issue writs of election to fill such vacancies."

Clause 5. "The House of Representatives shall choose their Speaker and other officers, and shall have the sole power of impeachment."

The persons who are subject to impeachment are the President, Vice-President, and all civil officers. One of the most celebrated cases of impeachment was that of President Johnson, who was accused of violating the Tenure-of-Office Act. The final vote

was thirty-five for conviction and nineteen for acquittal, just one vote less than the necessary two-thirds. An impeachment can lie only for cases of treason, bribery, or other high crimes and misdemeanors. In the history of our country there have been but few cases of impeachment.

SECTION 3. *Clause 1.* "The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six years; and each Senator shall have one vote."

Clause 2. "Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year; and if vacancies happen by resignation or otherwise, during the recess of the Legislature of any State, the Executive thereof may make temporary appointments until the next meeting of the Legislature, which shall then fill such vacancies."

Clause 3. "No person shall be a Senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen."

Clause 4. "The Vice-President of the United States shall be President of the Senate, but shall have no vote unless they be equally divided."

Clause 5. "The Senate shall choose their other officers, and also a President *pro tempore*, in the absence of the Vice-President, or when he shall exercise the office of President of the United States."

Clause 6. "The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the Chief Justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present."

Clause 7. "Judgment in case of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States; but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment, and punishment, according to law."

1. At present the Senate numbers ninety-two.

2. Although the Senators are elected for six years, yet when a new State is admitted its Senators are by lot assigned to the least numerous classes, and so may hold office for only two, or four years.

3. The student will get an idea of the life of a United States Senator by this summary of a Senator's life by Henry Cabot Lodge:

1. He has to answer personally or otherwise from forty to sixty letters each day. Many of these letters are of importance and require research for their answer. He receives many anonymous letters, but these are thrown into the basket unread.

2. Then he attends the meeting of the various committees of which he is a member. As a member of a committee he has much work to attend to and many responsibilities. This work alone requires great and constant effort.

3. Then he attends the session of the Senate which usually meets at noon and lasts on the average four or five hours. When important bills are being discussed he should be in his place, and yet he will be called from his place many times a day to meet all kinds of people on all kinds of business — office seekers, lobbyists, relic hunters, agents, and people with grievances.

4. And then he must spend his evenings in preparing his speeches and special reports. When we consider how wearing such a life must be, it is no wonder that the Constitution has sought to have the Senators of ripe age, of unquestioned integrity and great ability.

SECTION 4. *Clause 1.* "The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators."

Clause 2. "The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day."

1. The necessities and advantages are many for having a uniform mode of electing Senators; and so Congress has enacted that when the Legislature of the State meets, a vote shall be taken for Senator, and if the person has a majority of each house, he is elected; if not, then the Legislature meets daily

at noon in joint session and ballots from day to day until some one is elected.

The Legislature has occasionally got into a "dead-lock," on the election of Senator, and so the State was for that time deprived of its representation in the Senate.

Delaware was without Senators from 1901 to 1903.

2. The sixty-first Congress began March 4, 1909, and will end March 4, 1911.

QUESTIONS ON ARTICLE I, SECTIONS 1-4

1. Give a brief summary for Representatives and Senators, under the following heads: Number, terms of office, when and how elected, apportionment and number, qualifications.

2. Who is meant by the "Electors" in Article I, Section 2?

3. Explain the controversy that produced the "three-fifths" clause.

4. Tell how the Southern States eliminate the Negro vote, and say whether you regard it as just or not.

5. What reason do you see for the people electing representatives, while the Legislatures elect senators?

6. What might Congress do if any State should by law openly exclude Negroes from voting?

7. Who is the "executive authority" referred to in Article I, Section 2, Clause 4?

8. When a new State enters the Union, how is the number of Representatives determined? Why do not the first Senators always hold office for six years?

9. Describe the method of electing Senators and Representatives.

10. What reason do you see for the prohibition on Congress as to the *place* of electing Senators?



POPULATION OF CO

(Censu

1st Dist	
2d	"
3d	"
4th	"
5th	"
6th	"
7th	"
8th	"
9th	"
10th	"
11th	"

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MAP OF WISCONSIN

Prepared for the
BLUE BOOK OF THE STATE
from Official Records.
1900.

Showing
CONGRESSIONAL DISTRICTS.

APPORTIONMENT 1901.
WITH POPULATION



POPULATION OF CONGRESSIONAL DISTRICTS (Census of 1900.)

1st District...	191,491
2d "	170,792
3d "	180,750
4th "	183,540
5th "	181,706
6th "	184,517
7th "	193,890
8th "	194,634
9th "	179,097
10th "	190,975
11th "	217,650

Total, 2,069,042



11. What qualification must a voter have to vote for Representatives in Wisconsin?

12. By a drawing, show what is meant by "gerrymandering."

13. What advantage is it to the United States to have a census taken every ten years?

14. Explain how a President would be impeached and tried, did he commit treason.

15. Summarize the duties of a Senator as given by Henry Cabot Lodge.

16. If you were to choose between being a Representative, or a Senator, which would it be, and why?

17. Here are some questions suggested by what Thomas B. Reed says about being a Congressman:

(1.) Why does a new member usually have a hard time to get on?

(2.) Why does not the vote follow the "best" speeches?

(3.) Why out of 10,000 proposed laws do only 500 become laws?

(4.) What makes it difficult to be either seen or heard in the Hall of Representatives?

18. Turn to the map of congressional districts in Wisconsin: Notice that the districts have about the same number of inhabitants.

Is Wisconsin a "gerrymandered" state?

SECTION 5. *Clause 1.* "Each House shall be the judge of the elections, returns, and qualifications of its own members; and a majority of each shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner and under such penalties as each house may provide."

Clause 2. "Each house may determine the Rules of its proceedings, punish its members for disorderly behavior, and with a concurrence of two-thirds expel a member."

Clause 3. "Each House shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may, in their judgment, require secrecy; and the yeas and nays of the members of either House on any question shall, at the desire of one-fifth of those present, be entered on the journal."

Clause 4. "Neither House, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting."

1. The following was the order of proceedings in each House of the second session of the Sixty-first Congress:

HOUSE OF REPRESENTATIVES

1. The house was called to order by the Speaker, Joseph G. Cannon of Illinois, at 12 M., December 6.

2. Prayer was offered by the Chaplain, Henry N. Couden, D. D.

3. The Speaker then directed the clerk to call the roll.

4. The credentials of a Representative-elect from Washington were read, and the oath of office administered.

5. Resolutions were then passed notifying the President and Senate that the House was in session.

6. After fixing upon 12 M. as the time of future meetings, the House adjourned as a mark of respect to former Representatives Lassiter and DeArmond, who died since the last meeting of Congress.

In the Senate, the order was essentially the same, the Senate adjourning as a mark of respect to the memory of Senator Johnson of North Dakota.

2. The presiding officer of the Senate is the Vice-President of the United States.

The presiding officer of the House is the Speaker.

In the Senate the committees are in reality elected, but in the House they are appointed by the Speaker, and so it will be seen that he wields an immense power.

Most of the business of Congress is worked out in Committees, and the Speaker may so organize the Committees that they will work out the great bills on commerce, finance and taxation to suit him, or the party which he represents.

The Speaker is powerful, too, in that no member "has the floor" until he is recognized by the Speaker, and it often happens that members fail to get their

business before the House at all. And then, too, the Speaker guides legislation by the way he puts or suppresses motions, and decides points of order. Take it for all in all, the Speaker of the House is probably the most important element at the Capitol in directing legislation and making laws.

3. There are sometimes contests in the various states as to whom is elected. This contest is brought before the proper House at Washington, is investigated by the Committee on Elections, and then reported to the House for action. Often the majority will seat a member in spite of the fact that the other contestant has law and justice on his side. In 1899, the House refused to seat a member from Utah on the ground that he was a polygamist, and a member from Montana was refused a seat on the ground that his election had been compassed by bribery.

4. Sometimes a member is expelled for some crime or misdemeanor, as when the Senate expelled a member for treasonable utterances in 1863; and a member in 1870, for selling his appointments.

5. Both the House and Senate have elaborate Rules for the transaction of business. These rules were based primarily on Jefferson's Manual of Parliamentary Practice, and have grown in complexity with the years, and the requirements of new issues. Ordinarily members require several sessions to know the ins and outs of the rules, and it stands to reason that the Speaker must not only know the rules of the House, but must have executive power as well.

6. Sometimes members become careless in their attendance upon the sessions of Congress, or in-

tentionally absent themselves. In this event the Sergeant-at-Arms may compel their attendance, wherever or whenever they may be found.

Sometimes members desire to absent themselves from the Capitol — in that case they arrange to “pair” with some other member on the opposite side. It is quite common when a vote is being taken for a member to say: “I am paired with the gentleman from —, were he present he would vote ‘aye,’ and I would vote ‘no.’” It is customary also for the “pairs” to be published in the *Congressional Record*, so that all members may know of them.

7. The *Congressional Record* is published daily, and contains the record of business done in Congress, save what is done by the Senate when discussing appointments, or when it is sitting in Executive session.

A great many of the speeches, however, that appear in the *Record* are really not delivered, but members get permission to “continue their remarks in the *Record*” or “leave to print” — all of which saves the members from listening to long and sometimes dull speeches. Yet the *Record* is a wonderful storehouse of fact and argument, and deserves a far wider reading by the people than it usually gets.

SECTION 6. *Clause 1.* “The Senators and Representatives shall receive compensation for their services, to be ascertained by law, and paid out of the Treasury of the United States. They shall, in all cases except treason, felony, and breach of the

peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to and returning from the same; and for any speech or debate in either house, they shall not be questioned in any other place."

Clause 2. "No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States shall be a member of either House during his continuance in office."

The matter of salary has been a rather difficult one to adjust since the members are called on to determine their own compensation.

This has resulted always in members receiving really less than they should, except it be argued that the membership be only one of honor, and that only the rich should be Legislators.

In 1873, the salary of members was raised to \$7500, but the act met with such a storm of popular disapproval that many members refused the extra \$2500, and at the next session the salary act was repealed.

But the cost of living and other expenses at Washington have so increased, that the people seem to be satisfied that it is now \$7500 a year, and twenty cents mileage.

The Speaker receives \$12,000 per annum.

QUESTIONS ON ARTICLE I, SECTIONS 5 AND 6

1. What is the difference between "elections," and "returns," in Section 5?

2. Distinguish between a "quorum," "majority," and "plurality."

3. Why should each House have the right to compel the attendance of members?

4. What reason do you see in the prohibition on adjournment?

5. Tell something of what is done on the opening day in either house of Congress.

6. Why is the office of Speaker so important?

7. Why are election cases settled by a majority, but expulsions, by a two-thirds majority?

8. What is the name of the journal published by Congress? Why is it an important publication?

9. What is the difference between the *Journal* and the *Congressional Record*?

10. What is your opinion as to the amount of salary a Congressman should receive? Boards of Aldermen and members of Parliament receive no salary.

11. Take any of the far western states, and give an estimate of the amount of mileage drawn by one of the Congressmen therefrom.

12. The great power of the Speaker leads easily into abuse, and in 1910 the House voted to change the Rules committee from 5 to 10, and instead of being appointed by the Speaker, it is to be elected. The Speaker also is not to be a member of the Committee.

As the Rules Committee determines the order and extent of question and debate, it can be seen that the present law is a revolt against what is called the arbitrary power of the Speaker.

SECTION 7. *Clause 1.* "All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.

Every bill which shall have passed the House of Representatives and the Senate, shall, before it becomes a law, be presented to the President of the United States; if he approve, he shall sign it, but if not he shall return it, with his objections, to that House in which it shall have originated, who shall enter the objections at large on their journal and proceed to reconsider it. If after such reconsideration two-thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds of that House, it shall become a law. But in all cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each House respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it unless the Congress by their adjournment prevents its return, in which case it shall not be a law.

Clause 2. "Every order, resolution or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the

same shall take effect, shall be approved by him, or, being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill."

1. Clause 2 prevents Congress from passing a bill without the President's signature, under the guise of a "resolution," or "vote," or "order."

2. Congress represses many more bills than it passes, from which it is evident that the passing of a bill is neither easy nor simple.

a. When bills are presented by members they are read by their title, and then "referred" to the proper committee. As has been before explained, these Committees in the House are appointed by the Speaker, and so if a bill is recognized as striking at any of the principles of the majority, it is referred to a Committee which never reports on it, and so the bill fails.

Under ordinary circumstances the favorable report of a Committee insures the passing of a bill, but sometimes the House will pass a bill contrary to the report of a Committee.

b. The treatment of a bill by the Committee is not a simple matter either. If the bill is an important one, it usually gets a careful inspection by the leaders of the majority in each House. Then its provisions and wording are carefully prepared, a work that sometimes requires the efforts of lawyers and specialists for months. Such bills as have to do with the tariff, or the currency, often contain hundreds

of sections, and each one has to be carefully scanned. Sometimes the changing of a punctuation mark will make thousands of dollars' difference in some tax or duty, and sometimes designing persons will hide away in some innocent looking provision, enough dynamite to shatter the whole bill. These hidden but destructive clauses are sometimes called "Jokers."

c. Let us see some of the forces that move or restrict members in the introduction of bills.

1. The bill is often some individual wish, or reform — and often an idiosyncrasy. Such bills sleep peacefully in the archives of the Committees.

2. Members often introduce bills framed by needy or zealous constituents. Many people seem to think that the way to reform the world is to pass a law in regard thereto. Bills of this type are usually never read by either the Congressmen or the Committees.

3. Then there are bills of real merit on the needs of the country or the member's district, and Congress is usually quick and generous in such matters.

4. Members often "logroll"; that is, "you vote for my bill, and I will vote for yours."

5. Other powerful influences in the introduction of bills are the party influences, and the public sentiment of the Congressman's district. These influences often force a member to introduce and favor a bill in which he does not believe. Such conditions as this often arise: Where a Tariff, or River and Harbor bill is being passed, some member who is really opposed to a bill will reason that as other

states are going to get appropriations, he may as well have some for his own district.

6. It has happened many times that members are paid either in stock or money for the introduction and support of a bill, and while such things will doubtless happen as long as there are private interests that may be affected by laws, the integrity of most Congressmen is of an unquestionably high order.

7. Then members are influenced by "lobbyists" who are men and women, often of high standing and influence, who use every means in their power to influence the Congressman's action.

Often his weaknesses or mistakes are used to force him into the support of some bill or measure. Often, too, those high up in office control the appointments in his district in such a way as to influence his action. When all things are considered it can be seen that the member who intelligently favors an honest bill, and stands by his convictions, has character, knowledge, and ability.

d. 1. When a bill is being debated by sections there are many ways in which the Speaker, aided by the Committee on Rules, can direct and suppress debate. The majority in each Congress makes its own rules, though one Congress usually adopts the rules of the preceding one. But "rules" can be made at any time, and on any question, and so the Speaker, or the majority leaders, often devise "rules" to retard or advance certain bills.

2. But the minority often force matters by a policy of obstruction. Skilled Parliamentarians make

motions and roll calls, which consume much time. This of course prevents the transaction of important business and so the obstructionists often force their own measures to the front. The House, on account of the number of its members, limits the time which any one member may take for speaking, but in the Senate "Senatorial courtesy" allows any Senator to speak as long as he wishes, and so it happens that a Senator may compel a consideration of one bill by threatening to talk another bill to death. The organized system of obstruction is called "filibustering."

Filibustering is much more difficult in the House than in the Senate, for there is a House rule that gives the speaker power to refuse to put so-called "dilatatory motions."

e. Voting in Congress is by:

1. Ayes and noes.
2. Or the members "divide" on the right and left.
3. Or the members file by the "tellers," and are counted.
4. Or the roll is called for the yeas and nays.

QUESTIONS AND EXERCISES ON ARTICLE I, SECTION 7

1. What is the difference between a bill and a law?
2. Why should the origin of revenue bills be limited to the House?
3. Why should there be three readings of a bill, and on different days?
4. Why are bills referred to committees, and what is the method of procedure in the committee?
5. Tell some of the influences that cause members to favor or oppose bills.
6. What relation have the facts in (5) to the necessity of electing able and honest Congressmen.
7. Explain how the Speaker is influential in passing bills.
8. Describe the mode and purposes in "filibustering."
9. Describe the ways in which votes are taken and tell the reason why there are several methods of voting.
10. Explain the relation the President has to the passing of bills. Why should the Executive be given legislative power?
11. Tell what you can of the manner and purpose of the Presidents veto. What is the so-called "Pocket veto?"

SECTION 8. *Clause 1.* "The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States."

Clause 2. "To borrow money on the credit of the United States."

Clause 3. "To regulate commerce with foreign nations, and among the several States and with the Indian tribes."

Clause 4. "To establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States."

Clause 5. "To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures."

Clause 6. "To provide for the punishment of counterfeiting the securities and current coin of the United States."

Clause 7. "To establish post-offices and post roads."

Clause 8. "To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries."

Clause 9. "To constitute tribunals inferior to the Supreme Court."

Clause 10. "To define and punish piracies and felonies committed on the high seas, and offenses against the laws of nations."

Clause 11. "To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water."

Clause 12. "To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years."

Clause 13. "To provide and maintain a navy."

Clause 14. "To make rules for the government and regulation of the land and naval forces."

Clause 15. "To provide for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions."

Clause 16. "To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress."

Clause 17. "To exercise exclusive Legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular States, and the acceptance of Congress, become the seat of government of the United States, and to exercise like authority over all places purchased by the consent of the Legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings; and

Clause 18. "To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by

this Constitution in the Government of the United States, or in any department or officer thereof."

1. TAXATION

There is no power of government that bears so close a relation to the people as the power of taxation. The greatest revolutions of the world have come from the abuse of the taxing power, and every citizen of the United States should know how, and whereon taxes are levied.

a. The simplest division of taxes is into the two great classes, direct and indirect. When a citizen pays a tax on his property based on its value, the tax is said to be direct. The State, County, and City taxes are direct taxes.

Direct taxes are usually from two sources, personal property and real estate. The personal property in New York is assessed at about \$700,000,000; the realty at about \$9,000,000,000. In Wisconsin, the personal property is about \$250,000,000, and the realty about \$1,200,000,000. Indirect taxes are levied on the manufacture, sale, or consumption of articles.

The total revenue of the United States in 1910, was about \$670,000,000, of which about 305,000,000 was from custom, and a little less from the internal revenue. The United States has from time to time levied direct taxes, and the student will note that when this is done the taxes are levied among the States according to the population. Article I, Section 2.

This has an interesting bearing on the matter of levying an income tax. A few years ago Congress passed an income tax law, and the matter was brought before the Supreme Court on the issue that when a man was taxed on an income derived from real estate, the tax was on the real estate, and so was a direct tax, and therefore must be levied, not according to income, but according to population. The Supreme Court agreed with the contention, and pronounced the law unconstitutional. An effort is now being made to amend the Constitution so that such an income tax can be levied.

b. Indirect taxes are further divided into internal revenue taxes and duties. A duty tax on the value of an article imported is said to be *advalorem*. A duty tax on the article irrespective of its value, is said to be *specific*. Some articles pay both duties: thus two-ply carpets pay a tax of eighteen cents per square yard, and forty per cent *advalorem*. Liquors and tobacco are the basis of the internal revenue, and the tax is on both their manufacture and sale.

2. FINANCES

a. Congress determines what, and how much shall be "money" and "legal tender" for debts. "Lawful" money includes gold coins, silver dollars, treasury notes, and bank notes.

The theoretical unit of value is a gold dollar of 25.8 grains, ninety per cent fine.

The silver dollar weighs 412.5 grains and is ninety per cent fine. The "subsidiary" silver coins are

legal tender for sums up to ten dollars; the "minor" coins for sums up to twenty-five cents.

b. When the United States wishes to borrow money it issues "bonds payable usually in from 5 to 20 years, and bearing a low rate of interest. Although the interest rate is low, they are much sought after by men of large means on account of the surety of the returns.

In 1910, the United States had a bonded debt of about \$1,000,000,000.

QUESTIONS AND EXERCISES ON TAXATION AND MONEY

1. Distinguish between direct and indirect taxes. A revenue and custom tax.

2. What is a Custom House?

3. In what way does a cigar maker pay his tax? In what way does he get it back again?

4. It is sometimes said that a custom tax makes the like article in the United States cheaper — explain.

5. Classify the following taxes: On playing cards, liquor licenses, oleomargarine, automobile licenses, poll tax, real estate, pianos, incomes, inheritances, distilling of whiskey, and a tax on the importation of gloves.

6. Take an ordinary householder and enumerate the various taxes he likely pays, and give an estimate as to which is the largest.

7. In your opinion, which pays relatively the larger tax — the rich or the poor?

8. Name five articles which you use or consume that pay an indirect tax; three which you use or see, that pay a direct tax.

9. Examine a liquor or a tobacco stamp — how does it read?

10. What is a United States bond, a school bond, a city bond, a State bond?

11. Suppose you should be willing to get a return of three per cent on your money, what would you pay for a four per cent \$1000 bond? For a two per cent \$1000 bond?

12. Why is the matter of taxation an important question in Civil Government?

13. Define "money," "legal tender," "currency."

14. If you had some gold nuggets, the United States would coin them for you, would it be the same if you had silver nuggets? Why?

15. Examine a treasury note and a bank note — how do they differ?

16. What is meant when it is said that "gold is cheap," "gold is dear"?

17. Discuss the truth in the statement that "A National debt is a National blessing." In what sense is an individual debt a "blessing"?

18. Which is worth the more, a silver dollar, or a silver spoon weighing 412.5 grains? Why?

19. In what way does the Government make a "profit" on its silver coinage?

20. Why are Mexican dollars worth only about fifty cents here, while United States silver dollars are in Mexico worth their full face value?

21. A man goes into Canada having in his pocket a twenty-five cent Canadian piece. He buys a glass of soda water, gives for it the Canadian money and receives in change a United States twenty-five cent piece, which in the interior of Canada goes for twenty cents. Later he is in the United States and buys a glass of soda water, tendering for it the United States coin and receives in change a twenty-five cent Canadian piece which in the United States generally goes for twenty cents. He now has the same money with which he started — who paid for the soda water?

22. The United States collects about \$1,000,000 tax on oleomargarine. Why should this be taxed, and whom does the tax most benefit?

23. Is the purpose the same in the internal revenue tax as in the customs tax?

3. COMMERCE

In the early years of our government the foreign commerce of the country occupied the position of first importance, but our country has grown so large and rich, that the problems of internal commerce now transcend all others.

Great trusts and monopolies have been organized, that affect the welfare of every citizen of the Republic, while railroads that bind the Atlantic to the Pacific make and unmake cities, and raise and lower the cost of the necessities of life almost at will. This condition has compelled Congress to enter on a system of careful control and regulation.

The first Interstate Commerce law was passed in 1887, and has been amended several times—all with the purpose of increasing its efficiency.

The law is now administered by an Interstate Commerce Commission of seven members. Some of the things which the law seeks to prevent are:

1. The holding of coal lands by railroads.
2. The "rebating" by railroads, a practice which has enabled certain shippers to send goods at a less rate than others. To this end the rates and tariffs must be placed where the public can see them.
3. The combining of railroads and other corporations to put up or maintain certain rates.

The law also requires that railroads use certain safety appliances on their cars, and make a report of all accidents.

The purpose of the law is to force into publicity the business of the great corporations, so that no man shall

be unduly oppressed, and no man unduly favored. When commerce is carried on wholly within a State it does not come under the Interstate commerce law. It should be noted that not only are railroads and other corporations forbidden to "combine," but laborers or others are forbidden to conspire to injure the railroads or other corporations. The problems of the Commission are many and difficult, and the work of no other commission comes closer to the people for good or evil. Every year brings new problems to be settled, and there never was a time when there was more need that the boys and girls of the nation should know their country's problems more intelligently — and knowing, dare to maintain them.

"New occasions bring new duties,
Time makes ancient good uncouth;
They must upward be and onward,
Who would keep abreast with truth."

4. NATURALIZATION

a. If a foreigner desires to become a citizen of the United States, he goes before a court of record and declares his intention. Not less than two years, or more than seven years after this declaration he is admitted, provided he has been a resident of the United States at least five years previously, and of the State or district at least one year. In his oath of allegiance he must disown anarchy and polygamy, and renounce forever, allegiance to any foreign ruler. If the student will stop to think how he would

feel, to become a citizen of any other country he will realize that naturalization is an important and sacred act.

b. The wife and minor children of a citizen are, *de facto*, citizens.

c. A foreigner eighteen years of age or less, may take out his first and second papers at the same time, provided he has been a resident of the United States five years.

d. An alien who has served one year in the United States Army, or five years in the United States Navy, may become a citizen without previous declaration.

e. Unmarried women may become citizens in the same way as men.

f. When a country is annexed to the United States, its free citizens are by act of Congress made citizens of the United States.

g. The Chinese are by law prohibited from becoming citizens.

h. All persons born in the United States are citizens thereof.

i. The student should see the distinction between a "voter" and a citizen of the United States. The right to vote is given by the States, under which right some of the States give persons not citizens of the United States the right of suffrage.

Some States—Colorado, Idaho, Utah, and Wyoming — grant suffrage to women also.

Some States have property qualifications, and others require a certain ability to read and write.

j. Nearly all the States prohibit from voting —

idiots, lunatics, paupers, and those who have been convicted of felony or some infamous crime.

k. Most of the States require all voters to have gone through some form of registration.

5. BANKRUPTCIES

Sometimes a man fails in business. In this case he may be declared a bankrupt, and what property he has, be divided among his creditors.

Afterwards he may begin again, and cannot be held for debts contracted before he became a bankrupt. In 1909, R. G. Dun & Co. reported about 13,000 commercial failures, with liabilities of about \$200,000,000.

6. THE POST-OFFICE

In 1910, there were about 62,000 post-offices for which the government paid about \$225,000,000. The revenues were less than the expenditures by about \$15,000,000. The number of pieces of mail matter which passed through the post-office in 1909 was about 14,000,000,000, about one-third in the whole world. The amount of money orders issued in the United States in 1909 was about \$500,000,000.

7. MILITARY

The military strength, actual and potential, of the United States lies in the regular army and navy, and in the militia is the various States.

The expenditure for the United States Army and Navy in 1909 was about \$230,000,000; of the British Army and Navy about \$250,000,000; of the

German Empire about \$300,000,000. The number of men in both our Army and Navy is less than 110,000. The land force alone in Germany is more than 600,000; Great Britain 250,000; Russia, 1,100,000; Japan 225,000. Army officers are trained at the United States military academy West Point, New York, and the naval officers at the Naval Academy, Annapolis, Maryland.

In 1909, there were about 950,000 pensioners on the United States roll, to whom was paid about \$162,000,000.

8. WEIGHTS AND MEASURES

Congress has legalized both the old-fashioned English units of measure, and the Metric system, but has established neither. But Congress has sent to each State a standard system of weights. In the various States the law declares what shall be a "yard," a "pound," a "bushel," etc.

9. PATENTS AND COPYRIGHTS

In order to protect writers and inventors Congress has organized the patent office, to which all inventions are sent for examination and patent. If a patent is granted, no other person can make or sell the article patented. In 1909, about 60,000 applications for patents were made, and about 34,000 granted. The United States issues about one-third of all the patents in the world. Books and pamphlets and music are copyrighted, after which no other person can publish them. The cost of a copyright is merely nominal, but a patent may cost \$100 or more.

10. THE CAPITAL

The Capital of the United States is Washington, in the District of Columbia. The government of the District is vested in a Board of three Commissioners appointed by the President, but all laws are directly under the supervision and control of Congress. Washington is one of the most beautiful and best governed cities of the United States.

QUESTIONS AND EXERCISES ON ARTICLE I, SECTION 8

1. What is interstate commerce?
2. What is the object, and necessity for an interstate commerce commission?
3. Why was such a commission unnecessary in 1850?
4. Tell some of the abuses that the interstate commerce law seeks to prevent.
5. Why should Congress have sole charge of commerce with Indian tribes?
6. Why is it contrary to public policy for railroad owners to own oil wells and mines?
7. Define the following words, and give the difference in meaning, if any: elector, freeholder, citizen, resident, voter, and inhabitant.
8. State briefly the steps leading up to naturalization.
9. What special naturalization laws apply to Chinese, soldiers, minor children, married women?
10. Define "expatriation."
11. What is the importance of naturalization, and what are some of its abuses?
12. What is a "bankrupt"?
13. What are the benefits and possible evils of a bankrupt law?
14. What significance has the large number of business failures in the United States?
15. What are some of the excellencies of the post-office system as you know it?

16. Would it not be better to give the carrying of mail to private individuals, as express is now carried?

17. What "classes" of mail have you ever sent? What was the cost per ounce?

18. Tell what you can about "free delivery," "money orders," "rural delivery" and "special delivery."

19. Did you ever hear of any one losing anything sent through the mails? Why?

20. Show the form of a correctly directed letter.

21. Compare the postal statistics of the United States with the rest of the world. What does it mean?

22. Why should the United States have special schools for the training of naval and military officers?

23. Compare the cost of the army and navy in the United States with those of other countries. What industrial significance have these figures?

24. Should the United States have a larger army or navy? Why is the army limited to less than 100,000 men?

25. Why should the states define the various units of weight and measure?

26. What is a "yard," a "pound," a "gallon?"

27. Compare the English system with the metric system — which is the better?

28. What would be the effect if a man could not patent his invention, or copyright his book?

29. Name two or three things that you know have been patented or copyrighted.

30. What does the number of patents granted in the United States signify?

31. What do you know about the city of Washington? Distinguish between capital and capitol.

32. Which of all the powers of Congress do you regard as most important for you to understand?

33. Resolved — that the United States should establish a postal savings bank.

34. Resolved — that the United States should make the express and telegraph business a part of the postal service.

SECTION 9. *Clause 1.* "The migration or importation of such persons as any of the States now existing shall think proper to admit shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight; but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person."

Clause 2. "The privilege of the writ of *habeas corpus* shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it."

Clause 3. "No bill of attainder or *ex post facto* law shall be passed."

Clause 4. "No capitation or other direct tax shall be laid unless in proportion to the census or enumeration herein before directed to be taken."

Clause 5. "No tax or duty shall be laid on articles exported from any State."

Clause 6. "No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another; nor shall vessels bound to or from one State be obliged to enter, clear, or pay duties in another."

Clause 7. "No money shall be drawn from the Treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time."

Clause 8. "No title of nobility shall be granted by the United States; and no person holding any office of profit or trust under them shall, without

the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince or foreign State.

1. In 1808, Congress forbade the importation of slaves, and in 1820 declared the slave trade to be piracy. Clause 1 was a compromise between the South and North. The Importation tax on slaves referred to was never imposed.

2. Were it not for the writ of *habeas corpus* a man might be imprisoned indefinitely, whether guilty or not. When the writ is obtained the person imprisoned is brought before the proper court to determine whether he is lawfully held or not. The granting of the writ does not determine either the innocence or guilt of the person detained. In time of war the president often needs to exercise arbitrary power, in which case, Congress may suspend the writ on the ground of military necessity.

Under the English practice, the Legislative power often outlawed persons accused of crime, confiscated their property, and dishonored their descendants.

3. An *ex post facto* law would be a law, for example, that punished John Doe for an offense committed in 1908, under a law passed at a later date.

4. Clause 6, is an echo of the trouble between States under the Articles of Confederation. New York at that time put a tax on garden produce from New Jersey. This feeling against outsiders still shows itself in local laws against peddlers, and in the agitation against the department store.

In many places the feeling is quite strong against people of a village buying goods outside of the village, on the ground that local dealers "must live." Much of the opposition to inter-urban electric lines comes from this source.

SECTION 10. *Clause 1.* "No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts, or grant any title of nobility."

Clause 2. "No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws, and the net produce of all duties and imposts laid by any State on imports or exports, shall be for the use of the Treasury of the United States; and all such laws shall be subject to the revision and control of the Congress."

Clause 3. "No State shall without the consent of Congress, lay any duty on tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

1. Nearly all the prohibitions in Sections 9 and 10, came out of the sad experiences under the Confedera-

tion, when State clashed with State, and when each State was a law unto itself.

Contracts were made and repudiated; money issued and unredeemed, until confidence was almost destroyed. The Constitution restored confidence by taking the various primary government functions from the States, and placing them where they belonged, in a stable central power.

To-day much of the government money is so called "fiat" money, but so great is the confidence of the people in the stability of the laws, that it is accepted with entire faith.

Confidence is the rock of National prosperity, and indeed of National existence, and it is a consciousness of the stability of the Nation that makes a paper dollar of the United States good the world over.

2. The most important point in Section 10, is the line referring to the matter of inspection.

As the people increase in numbers, wealth and interests, there is a growing need that matters pertaining to the health and safety of the people be carefully looked after.

Men are busy in their own affairs and have neither the opportunity to examine carefully the articles they use, or foods they consume. If inferior articles can be sold under other names, if adulterated food can be sold as pure food, if poisonous drugs can be sold under innocent titles, if dangerous oils can be advertised as harmless, if tainted food can be advertised as wholesome—then there must be a serious loss and menace to the people.

In 1906, the United States government passed a

Pure Food Law which punishes a person for selling certain drugs and foods so as to deceive by concealing their real nature.

And nearly all of the States have inspection laws that punish for the sale of unbranded, or wrongly branded medicines, drugs and food products. Butter, cheese, oil, alcohol, and meat usually come under the law. In the early stages of development men live under the doctrine—"Every man for himself," but as brotherhood grows wider, it grows also closer, and the spirit of service and concern sets up the more humane doctrine, "Each for all."

QUESTIONS AND EXERCISES, ARTICLE I, SECTIONS 9 AND 10

1. Define the following: *ex post facto*, *habeas corpus*, treason, attainder.
2. Why should Congress be forbidden to lay export duties?
3. Under what circumstances may States lay export duties?
4. What might happen if states could issue paper money, and make it legal tender?
5. What is the reason for the prohibition in Section 9, Clause 8?
6. Explain the necessity of a national meat-inspection law.
7. What relation may the "sweat shop" have to the spread of disease?
8. Through what channels are typhoid fever, and tuberculosis spread?
9. Tell something you personally know to have been done to protect the public health.
10. Justify laws that require children in the public schools to be inspected; that prohibit public drinking cups; that prohibit spitting in cars and public places.
11. Why should the sale of candy, soda water, ice cream, baking powder and certain "tonics," be made a matter of public health?
12. Make a comparison of the necessity of inspection laws in 1850, and 1910; in rural places, and large cities. How may libraries spread disease?
13. Upon what principle can you justify the requirement that engineers, physicians, and lawyers shall obtain a license before engaging in their business or profession.
14. On some railroads you must furnish your own drinking cup. Why is this?
15. Should not each one be compelled to buy goods in his own town?
16. Ought not a man to trade with a merchant of his own Church, or Lodge?
17. What is the great law of buying and selling?

III The Executive Power

ARTICLE II

SECTION I. *Clause 1.* "The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice-President chosen for the same term, be elected as follows:

Clause 2. "Each State shall appoint, in such manner as the Legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative, or persons holding any office of trust or profit under the United States, shall be appointed an elector."

Clause 3. (As amended by Twelfth Amendment.) "The electors shall meet in their respective States, and vote by ballot for President and Vice-President, one of whom at least shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person to be voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which list they shall sign and certify,

and transmit sealed to the seat of the government of the United States, directed to the President of the Senate. The President of the Senate shall, in presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted. The person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest number not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other Constitutional disability of the President. The person having the greatest number of votes as Vice-President shall be the Vice-President, if such number be a majority of the whole number of electors appointed; and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number

shall be necessary to a choice. But no person Constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States."

Clause 5. "No person except a natural-born citizen, or a citizen of the United States, at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office, who shall not have attained to the age of thirty-five years, and been fourteen years a resident within the United States."

Clause 6. "In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice-President, and the Congress may by law provide for the case of removal, death, resignation, or inability both of the President and Vice-President, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected."

Clause 7. "The President shall, at stated times, receive for his services a compensation which shall be neither increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them."

Clause 8. "Before he enters on the execution of his office, he shall take the following oath or affirmation:

"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United

States, and will, to the best of my ability, preserve, protect, and defend the Constitution of the United States."

1. Let us consider the steps leading up to the nomination of the President: Each State according to its own method, and in accordance with the apportionment of the National Committee of each political party, selects delegates to the National Nominating Convention. The Republican and Democratic parties usually choose twice as many delegates as the State has electoral votes. In the Republican convention of 1908, Taft received on the first ballot 702 votes, and in the Democratic convention, Bryan received $892\frac{1}{2}$ votes.

2. After the candidate for President is nominated there comes what is known as the "campaign." Then on the first Tuesday after the first Monday in November in an even year, is the "general election."

a. Each State elects as many "Presidential electors" as there are Congressional districts, and two "at large."

The Electoral College then will have as many votes as the number of Senators and Representatives combined. After the election, the Electors meet in their several States, usually at the Capital, on the second Monday in January, and make out three separate lists for the President, and Vice-President. One is usually sent by mail to Congress, another by messenger, and the third is usually deposited with the Judge of the United States District Court in whose district the electors met.

On the second Wednesday in February, the votes are opened and read by the President of the Senate in the presence of both Houses of Congress, and the persons having the majority are declared to be President, and Vice-President, respectively.

b. Congress has by law declared that in case there is no President or Vice-President, then the office shall descend in order down through the Cabinet: Secretary of State, Secretary of the Treasury, Secretary of War, Attorney-General, Postmaster-General, Secretary of the Navy, Secretary of the Interior, Secretary of Agriculture, and Secretary of Commerce and Labor.

The Cabinet officers hold office until the disability of the President or Vice-President is removed, or a President elected.

SECTION 2. *Clause 1.* "The President shall be commander-in-chief of the Army and Navy of the United States, and of the militia of the several States, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment."

Clause 2. "He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassa-

dors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States whose appointments are not herein otherwise provided for, and which shall be established by law; but the Congress may by law vest the appointment of such inferior officers as they think proper in the President alone, in the courts of law, or in the heads of departments."

Clause 3. "The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session."

SECTION 3. "He shall from time to time give to the Congress such information of the State of the Union, and recommend to their consideration measures as he shall judge necessary and expedient; he may on extraordinary occasions convene both Houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all of the officers of the United States."

SECTION 4. "The President, Vice-President, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors."

1. The President is assisted in his administration of affairs by the various executive departments, the heads of which are called his "Cabinet."

a. The Department of State has general charge of all foreign affairs. One of the important duties of the Department of State is the management of the 1100 Representatives of the United States in the various foreign countries. The highest class of officers under the Consular service, are the Ambassadors, or Ministers Plenipotentiary—these are sent to represent us in the leading countries of Europe. Then come the Envoys Extraordinary, who are sent to all the secondary nations of the world. Then come the Ministers-resident, and lastly the Consuls who are sent to all the cities of the world wherever they can be of service to Americans, or advance the interests of the United States. The Department of Consular service issues pamphlets called "Consular Reports" in which are given descriptions of foreign trade, manners, customs, and indeed they treat of every conceivable phase of foreign life that may have a commercial or scientific interest to the people of the United States.

The Consular service is invaluable in protecting the rights of Americans abroad.

b. Under the control of the Secretary of the Treasury comes the care of the finances of the country. Money is paid out on the proper warrant, not only at Washington, but at the various sub-treasuries in the larger cities, and also at various banks throughout the Country, which are designated as "Public Depositories."

c. The Secretaries of War and Navy have general charge of military and naval affairs, and the supervisions of the schools at West Point and Annapolis.

d. The Attorney-General is the President's legal adviser, and represents the United States directly or indirectly in all suits which involve the United States. The chief interest now in the Department of Justice centers about its prosecution of Trusts, under the Anti-Trust law.

e. The Postmaster-General has general charge of all matters connected with the post-office.

f. The Secretary of the Interior has under his management the important business relating to Indian affairs, the Public Lands, Pensions, and Education.

g. The Department of Agriculture was created to further the agricultural interests of the country. It makes valuable experiments and publishes the result in pamphlets, which may be had for the asking. It seeks to improve roads, increase animal life and power, furnishes farmers with seeds, and conducts the Weather Bureau.

h. The Department of Commerce and Labor investigates nearly all the questions relating to our social welfare, and probably comes as close to the real interests of the American people as any of the others.

2. The treaty making power of the President is an important one, since treaties often involve the payment of large sums of money, the acquisition of territory, the change of boundaries, and the protection of commercial and personal rights.

Treaties are usually managed by Ministers-Resident, Ambassadors, or Commissioners specially appointed. When treaties involve the mutual giving and taking of commercial rights, they are called "Reciprocity" treaties. When it is agreed in a treaty to leave disputes to some tribunal for settlement they are called "Arbitration" treaties. In the treaties between countries there is usually a provision relative to the surrender of criminals escaping from either of the countries. This right or privilege is called "Extradition." If it were not for this, a criminal might be guilty of infamous crimes, and yet be beyond the power of arrest by fleeing to another country. During the Civil War, when the United States were drafting soldiers, many men fled to Canada, where at that time, they were safe from arrest.

3. When it is understood that the President makes thousands of appointments, most of which are to high and important offices, it can be seen that the power is an important one.

It requires often great courage, and a clear understanding of men and conditions. Great pressure is brought to bear upon him from high sources, and the Senators from the State to which the appointment is made, often defeat the confirmation in the Senate.

He is helped, however, by the fact, that more and more, the secondary offices are put under the control of heads of departments, and even in the higher offices appointments are made by competitive examinations under the laws of the civil service.

There are about 353,000 positions under the Executive Civil Service, more than half of which are un-

der competitive examination. The putting of an office under the Civil Service, is a great relief, not only to the President, but to Congressmen as well. When it does not result in offensive political activity among the incumbents, it usually results in an improvement of the government service.

4. The pardoning power of the President relates only to the offenses committed against the laws of the United States, such as counterfeiting, robbing the mails, or violating the internal revenue laws, and the like. The pardoning power in all other cases is vested in the Governors of the various States, or in Pardoning Boards.

5. There is no more important duty devolving upon the President than the general law enforcing power. It is his spirit that infuses itself down through all the departments.

If he is vacillating, or weak, it appears in countless ways even to the remotest corners of the country.

Strikes and mobs often call for the wisest and firmest treatment. In no other office must the incumbent be so above self, above party, and even above nation, as in the Presidency. Hence it is that the young citizen must act wisely and intelligently in his vote for President of the United States.

QUESTIONS AND EXERCISES, ARTICLE II

1. Outline the steps that lead up to the nomination of the President of the United States.

2. Suppose yourself to be a presidential elector; how would you be nominated, how elected, and what would you do after you were elected?

3. Read Article II, Section 3, of the original Constitution, and then Amendment XII, and give at least three differences. In what sense is the original Constitution improved?

4. Under what circumstances does the House elect the President? And the Senate, the Vice-President?

5. Give the Constitutional qualifications for President of the United States.

6. The President now receives a salary of \$75,000, and usually \$25,000 for travelling expenses, and \$50,000 for the care of the White House; do you think this too great a compensation? Why?

7. What qualifications must a man have to be nominated for President? Illustrate your answer by referring to Washington, Jefferson, Lincoln, Grant, Roosevelt, and Taft. How was it in the case of Mr. Bryan?

8. What is meant by the "Presidential succession"?

9. What military power has the President? What Presidents had been soldiers?

10. What is the difference between a pardon, and a reprieve, and in what kind of offences may the President use his pardoning power?

11. What is the "President's Message"? When is it given, and to whom?

12. Name the chief members of the President's Cabinet, and give one duty under each department.

13. What is a treaty? Name the kinds of treaties, and tell what things are specified in treaties. By whom are they negotiated, and how are they confirmed?

14. Tell, if you can, how the House may defeat a treaty. Article I, Section 7.

15. What is the President's relation to foreign Ambassadors, to the adjournment of Congress, to the filling of vacancies?

16. Discuss the importance and scope of the President's appointing power.

17. What is the civil service? How are appointments made under it?

18. What is the argument pro and con between the civil service, and the "spoils system?"

19. Give the grades of our "Representatives Abroad," and tell with what kind of matters each grade concerns itself.

20. How are the "Consular Reports" a benefit to the United States?

21. To which of the Cabinet heads would you write for

(a.) Information relative to the Canadian fisheries?

(b.) The number of strikes in the United States?

(c.) The market ratio between gold and silver?

(d.) How to prepare for Annapolis?

(e.) The number of sweat shops in New York?

(f.) Arguments on Postal Savings Banks?

(g.) Tuberculosis in cattle?

(h.) The location and price of United States land?

(i.) The data relative to the prosecution of trust law violations?

22. Why is the general law enforcing power of the President an important one? In what cases may the President's power be invoked?

23. Why are Presidents never elected for three terms. Once men tried to nominate a celebrated military President for a third term; who was he?

24. When was Taft elected President of the United States? (The student will likely not answer this correctly at first.)

25. Explain why it is that a man may be elected president when he does not receive a majority of the popular vote?

26. In 1888, Cleveland received a greater popular vote than did Harrison, and yet Harrison was elected. Explain.

27. At the general election the names of the party electors appear on all the party tickets voted, so that if the Democrats are in the majority, then all the Democratic electors are elected. But in 1896 Bryan received one vote in Kentucky, and McKinley 12; can you explain it.

28. Resolved, that the presidential term should be longer than the present limit of eight years.

29. When the United States government made some of the Chicago street cars a part of the mail service, there was strong opposition to it on the part of labor leaders. Can you tell why?

30. Suppose there were mob violence in your community; under what circumstance would each of the following be called upon to suppress it — the Sheriff, the Governor, the President? Read Article IV, Section 4.

31. What things are forbidden to the United States in regard to financial affairs, commercial affairs and legal matters?

32. Name something a State can do that the United States cannot do.

33. Name some things prohibited to both the United States, and the States separately.

34. Think back over what you have studied thus far and state (1) what subject is most interesting to you, and (2) what subject comes the closest to your life and knowledge, and (3) of all the things studied which should be best understood by voters.

IV The Judicial Power

ARTICLE III

SECTION I. "The judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the Supreme and Inferior Courts, shall hold their offices during good behavior, and shall at stated times receive for their services a compensation which shall not be diminished during their continuance in office."

1. In order of the importance and extent of their jurisdiction the regular courts of the United States are:

a. The District Courts, about ninety in number, which are the courts in which the minor offences against the laws of the United States are tried. If a person should sell liquor to Indians he would be tried before the District Court in his District. Sometimes the whole State is the District, but when the State is large, it may have more. Texas has four Districts, New York six, Wisconsin two.

b. Next higher than the District Courts are the Circuit Courts, nine in number, in which cases of greater magnitude are tried; matters concerning patents would come originally before this Court.

To form the Circuits, States are grouped together, and at least once in two years, each Supreme Court Justice must preside over the Circuit to which he is assigned. There are many cases brought before the United States Courts and so there are often several Circuit judges for each Circuit. There are nine Circuits and twenty-nine Circuit judges. The seventh Circuit, of which Wisconsin is a part, has four justices.

c. The highest Court of the United States is the Supreme Court, consisting of one Supreme Justice and eight associate Justices.

d. In addition to these regular Courts, there is a Circuit Court of Appeals, which may review cases from the District and Circuit Courts, that would ordinarily go up to the Supreme Court. There is also a "Court of Claims," and a "Court of Private Land Claims," and a "Supreme Court of the District of Columbia."

2. "Although there have been more than fifty members of the Supreme Court, never has the personal integrity of a single one been questioned."

"One of the sights in Washington is the Supreme Court in session. The Court room is a solemn looking place. Nine venerable gentlemen in black robes sit quietly listening, while a single counsel addresses them. There is no haste in their proceedings, no noise or roar of the orator. It must not be supposed, however, that they are cold and destitute of sympathy, for no more genial body of men is gathered anywhere in the country, none more in sympathy with every effort to better human conditions."

“Politically they are shelved; no brass band ever greets them at any place they may visit; quietly and silently they work, and yet all realize that their work has a powerful influence on the life and destiny of the Republic.” — *Justice Brewer*

SECTION 2. *Clause 1*, “The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; — to all cases affecting ambassadors, other public ministers, and consuls; — to all cases of admiralty and maritime jurisdiction; — to controversies to which the United States shall be a party; — to controversies between two or more States; — between a State and citizens of another State; — between citizens of different States — between citizens of the same State claiming lands under grants of different States, and between a State, or the citizens thereof, and foreign States, citizens or subjects.”

Clause 2. “In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be a party, the Supreme Court shall have original jurisdiction.”

Clause 3. “In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.”

Clause 4. “The trial of all crimes, except in cases of impeachment, shall be by jury; and such

trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed."

SECTION 3. *Clause 1.* "Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court."

Clause 2. "The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture except during the life of the person attainted.

1. When the trial of a small offence begins in a court, the court is said to have "original jurisdiction"; when the offence has been tried in a lower court, and comes up to a higher court for re-trial, that court is said to have "appellate jurisdiction." Sometimes the decision of the lower court is reversed, sometimes confirmed, and though many cases may be "taken up" that are doubtless settled right in the first place, the right of appeal is supposed to be a step toward the furtherance of justice.

2. "Not within any State" referred to in Section 2, applies to territories organized and unorganized, government property and the "high seas." The "high seas" are the Great Lakes, and the waters of the ocean beyond the marine league. Crimes on shipboard are tried in the State where the vessel first arrives.

3. If the student will read Articles V, VI, and VII, of the Amendments he will need to know that juries are of two kinds — “petit” and “Grand.”

The petit jury, usually twelve men, try the case, but a Grand Jury investigates the case to see if there is ground for an arrest. In State matters, the prosecuting attorney usually takes the place of the Grand Jury.

Where some crime is suspected, the Grand Jury sits in secret, and if the evidence warrants it, brings in what is called a “true bill,” under which the accused is arrested. If the evidence does not warrant the arrest, the foreman of the jury writes on the bill “Ignoramus” which means “not found.”

ARTICLE IV

SECTION 1. “Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State. And the Congress may by general laws prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof.”

SECTION 2. *Clause 1.* “The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.”

Clause 2. “A person charged in any State with treason, felony, or other crime, who shall flee from justice and be found in another State, shall, on demand of the executive authority of the State from

which he fled, be delivered up, to be removed to the State having jurisdiction of the crime."

Clause 3. "No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due."

SECTION 3. *Clause 1.* "New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States, or part of States, without the consent of the Legislature of the States concerned as well as of the Congress."

Clause 2. "The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory of other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular State."

SECTION 4. *Clause 1.* "The United States shall guarantee to every State in this Union a Republican form of government, and shall protect each of them against invasion, and on application of the Legislature, or of the executive (when the Legislature cannot be convened), against domestic violence."

1. It can be seen that if it were not for Section 1, a man might legally own something in one State, but might not own it according to the laws of an-

other. He might be married according to the laws of one State, but not married according to the laws of another. The student has doubtless read of people going to a State where divorce was easy, in order to be legally divorced in all the States.

The tendency is now to make the laws of all the States more and more homogeneous.

2. In Section 2, Clause 1 is the prohibition against a State making laws of one kind for citizens of the State, and laws of another kind for citizens of another State. Some States require from outsiders a heavier tax for hunting licenses than from their own citizens — and this is held by many to be a violation of Section 2. Sometime it is likely to be brought before the Supreme Court.

3. When a person commits a crime in one State and flees to another, the Governor of the first State applies to the Governor of the other State for “extradition” appers, and if they are granted the proper officer of the second State, arrests the criminal and hands him over to the proper officer of the first State.

Note the similarity of domestic and foreign extradition.

4. Clause 3 refers to slaves, and is now obsolete.

It was about these last two clauses that the fugitive slave law fight was waged. Were slaves property like horses, and could a slave-holder from the South bring his slaves as chattels into a free State? “Yes,” said the Supreme Court — “No,” said the Spirit of Liberty and Progress.

5. When a new State is to be admitted after an “enabling act” of Congress, the people at a conven-

tion, or by popular vote, adopt a Constitution. This is then submitted to Congress, and if it contains nothing contrary to the United States Constitution, a bill is prepared to admit the State into the Union. Sometimes the people of the State have a long fight over what their Constitution shall contain, and sometimes Congress has required the Constitution submitted, to be changed. The last State admitted was Oklahoma, November 16, 1907. The only territories on the continent from which States can be made were in 1910 — Alaska, Arizona, and New Mexico.

6. The original thirteen States are now but a small part of our great country. Some of the territory was acquired by conquest, as in the case of Texas, but most of it by treaty and purchase. In recent years we have added territory which is known as the "Insular Possessions" of the United States.

a. The Philippines, which are about twice the size of Wisconsin, are under the government of a "Commission" and Governor appointed by the President of the United States, and a Legislative assembly chosen by the people.

b. Porto Rico, area 3435 square miles, is under the government of a Governor, Commission, and a popular Legislature.

c. Hawaii, area about 6000 square miles, was made a territory of the United States in 1898. It is represented in Congress by a Delegate, and has a Governor appointed by the President, and a Senate and House of Representatives elected by the people.

d. An important addition to the land control of

the United States is the "Panama Canal Zone," a strip of land purchased from Panama in 1904, five miles on either side of the canal. This zone is governed by a Commission appointed by the President.

7. When territory is purchased, the government makes a survey of the land by a system of base lines and prime meridians. The land is divided into townships six miles square. Thus it is seen that government survey precedes the organization of States, or Counties or Towns. The government may sell or grant the land it owns to the State, or to individuals. In 1910, there were more than 700,000,000 acres of unsold United States lands, more than half of which, however, was in Alaska.

It is been the generous policy of the United States Government when a State entered the Union, to give to the State for educational purposes large grants of land. Land also, by the millions of acres has been given to railroads. Until very recently men could settle on land under the "Homestead Act," and at a merely nominal price acquire a farm.

The policy of the government now, is to turn the proceeds of the Public Lands toward the irrigation of the arid lands of the West, and as a result vast tracts have been turned from a desert into a garden.

Another beneficial policy recently initiated, is the Conservation of the vast mineral and forest wealth of the country.

The States also have joined in the movement, and the forests that once were the country's wealth and pride, bid fair to grow again.

ARTICLE V

“The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the Legislatures of two-thirds of the several States, shall call a convention for proposing Amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress: Provided that no Amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth Clauses in the ninth Section of the first Article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.”

If the student will turn to the Amendments and read the first ten, he will see that they constitute a kind of “Bill of Rights.” These Amendments were all adopted before 1792.

Amendment XI was adopted in 1798 as a result of a suit brought against Georgia by a citizen of the United States. Under this Amendment a State may repudiate its just debts, as was done by some of the Southern States after the Civil War.

Amendment XII was adopted in 1804, as a result of the long contest in the House over Jefferson's election.

Amendments XIII and XIV and XV were adopted

in 1864, 1868, and 1870, as a result of the issues of the Civil War.

It is a difficult matter now to amend the Constitution of the United States, and although thousands of Amendments have been proposed, none have carried. The next Amendment that will have some show of carrying, will likely relate to an income tax.

ARTICLE VI

Clause 1. "All debts contracted and engagements entered into, before the adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation."

Clause 2. "This Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding."

Clause 3. "The Senators and Representatives before mentioned, and the members of the several State Legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation, to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States."

ARTICLE VII

“The ratification of the Conventions of nine States shall be sufficient for the establishment of this Constitution between the States so ratifying the same.”

DONE in Convention by the unanimous consent of the States present, the seventeenth day of September, in the year of our Lord one thousand seven hundred and eighty-seven, and of the Independence of the United States of America, the twelfth. IN WITNESS WHEREOF, we have hereunto subscribed our names.

GEO. WASHINGTON,
President and Deputy from Virginia.

QUESTIONS ON ARTICLES III, IV, V, VI, AND VII

1. Give a brief account of the Judicial Power of the United States, giving the general and special courts.
2. What is appellate, and original jurisdiction?
3. What can you say of the dignity and importance of the Supreme Court?
4. Give from your history, some case that was ever decided by the Supreme Court.
5. Is the jurisdiction of the Supreme Court largely original, or appellate? In what case has it original jurisdiction?
6. Define the "High Seas." Who or what has jurisdiction beyond the marine league line?
7. What is the purpose, and organization of a grand Jury, a petit Jury?
8. Discuss the importance of Article IV, Section 1.
9. Wisconsin taxes "non-resident" deer hunters more than her own citizens — is this not a violation of Section 2, Clause 1?
10. Show what is meant by foreign and domestic "extradition."
11. Turn to your history and find out, if you can, what point was involved in the "Dred Scott" decision.
12. Tell the steps by which a new state is admitted to the Union.
13. "*Ex post facto*" laws are forbidden by the United States Constitution, and yet a like prohibition is found in the State Constitutions; why is this necessary?
14. Tell how each of the following was annexed to the United States: The Philippines, Texas, Hawaii, and Alaska.
15. What is the difference, if any, in the relation of the following to the United States: Alaska, Hawaii, Porto Rico, Cuba, New Mexico?
16. Who surveys the public lands? What is done with the lands after they are surveyed?
17. What is a township, a range, a section, a town?
18. The general government has usually given Section 16 of its public lands to the State for educational purposes. Why is Section 16 chosen?

19. Tell what the government is doing to-day to preserve its forests, and reclaim arid lands.

20. How are amendments proposed, and what must be done to make them a part of the Constitution?

21. Why are many amendments proposed, and so few adopted?

22. When were the first ten amendments adopted, and what is their nature?

23. What is the substance and purpose of Amendment XIII?

24. What is the substance and purpose of Amendments XIV and XV? How are these amendments overcome in the South to-day?

GENERAL RESEARCH QUESTIONS

The student will likely not be able to answer all of these questions, but the effort to do it will be found beneficial.

1. Why was the land question an obstacle in the way of uniting under a Constitution?

2. Who was the President of the convention that adopted the Constitution?

3. Who is the present Speaker of the House? In what controversy did the Speaker of the 61st Congress bear a part?

4. Why is the Senate called the "upper house?"

5. Define allegiance, and amnesty. What was done to the Southern leaders after the Civil War?

6. When is there "war" between nations? Who declares it, and how is it ended?

7. Tell the different ways of voting, and why there are different methods.

8. What are "belligerent rights"?

9. What is a blockade?

10. What is the Civil Service?

11. What is a veto, a "pocket veto"?

12. Define a bill, a statute? Is there a difference between a law and a statute?

13. What are letters of "Marque and Reprisal"?

14. What is reconstruction? How did the Southern States get back into the Union?

15. Define *vive voce*, *sine die*, *pro tempore*.
16. Give two other Latin phrases used in the Constitution.
17. What is the "draft," "enlistment"?
18. What is the "electoral college"?
19. What is the law of "eminent domain"?
20. What is meant by the "referendum"?
21. Define, "felony," "reciprocity," "filibustering."
22. What is a pension, a copyright?
23. It is said that a judge in Wisconsin once nullified a decision of the Supreme Court of the United States; who was it, and when?
24. Would it not be better if the metric system of weights and measures were the standards for the United States? Illustrate.
25. What is the "National Guard" of your State?
26. Give one fact about the National Pure Food Law, and the National Meat Inspection Law.
27. What is an Interstate Quarantine law?
28. What has the United States to do with the railroads that run from State to State? What is a "safety appliance"?
29. Name two things that the United States excludes from the mails.
30. What relation does the general government bear to the American Indian?
31. Sometimes you see a person wearing a Red Cross pin — what does the pin mean?
32. In 1907 the President appointed a "National Conservation commission," what can such a commission do?
33. What significance have the following? In 1900 the United States imported \$850,000,000 worth of merchandise and exported \$1,390,000,000. In 1909, imported \$1,312,000,000, and exported \$1,700,000,000. In 1900, value of farm animals \$2,229,000,000; in 1908, \$4,332,000,000.
34. Tell what the Interstate commerce law seeks to accomplish.
35. Compare the United States with other nations in regard to passports.
36. What is a "free press," a "censorized" press?

37. Explain the relation tariff taxes and internal revenue taxes have on the price of the articles taxed.

38. What is done at a Custom House? What is a smuggler? Why do many people justify smuggling?

39. What has been done about child labor during recent years? What is your opinion about child labor?

40. What is a strike? A lockout?

41. In 1901, there was organized a National Civic Federation consisting of the best men from the general public, employers, and wage-earners. Give two or three great questions that this Federation will try to solve.

42. What is a "Social Settlement"? Why are they necessary and what do they seek to do?

43. An investigation made by the United States shows that the average weekly wage in the New England cotton mills was \$8.52; in the Southern cotton mills, \$5.14; what significance has this?

44. What is a labor organization, a wage scale, an 8 hour day, a union card?

45. What organizations do the following stand for: Y. M. C. A., G. A. R., S. O. V., D. R., W. R. C.?

46. What is a party platform, a plank? Who makes the National Platforms?

47. What is the rate of first and second class mail matter? How should letters be addressed?

48. What is the patent office, the Dead Letter office?

49. Where is there a National Park?

50. What is the significance of Arbor Day?

51. Where is the longest canal in the United States? What relation has this canal had to the development of the United States?

52. What is a Fraternal Organization? Name two or three.

53. What and where is the Hall of Fame?

54. The number of newspapers in the world is estimated at 60,000, of which the United States has about 21,000. What is the significance of this?

55. Give some elements of our electrical advance during the last twenty years.

56. Name the five largest cities of the United States, and tell what problems the large city has to meet?

57. Name one cabinet officer of the United States.

58. What is the legal railroad fare in your State?

59. What is the "Rhodes' Scholarship"?

60. Which State produces the most soft coal, hard coal?

In what part of the country are there usually coal famines?

61. Which of the following subjects should the young student be best informed on: (a) The pure food law; (b) The duties of the President; (c) The matter of taxes; (d) Prohibitions on Congress; (e) Offences against United States laws; (f) The Interstate commerce commission; (g) Commercial relations internal and external?

62. Give a brief statement of the benefits to you of the study of Civil Government.

THE CONSTITUTION OF THE STATE OF WISCONSIN

(In 1846, October 5, the first Constitutional Convention met and framed a Constitution which was submitted to the people April 5, but was rejected by them. December 15, 1847, a second Constitutional Convention met and submitted a Constitution which was adopted by the people March 13, 1848.

On May 29, 1848, after Congress had discussed and approved the Constitution, Wisconsin was admitted to the Union.)

PREAMBLE

We, the people of Wisconsin, grateful to Almighty God, for our freedom; in order to secure its blessings, form a more perfect government, insure domestic tranquillity and promote the general welfare; do establish this Constitution.

ARTICLE I

DECLARATION OF RIGHTS

SECTION 1. All men are born equally free and independent, and have certain inherent rights; among these are life, liberty, and the pursuit of happiness: to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed.

SECTION 2. There shall be neither slavery nor involuntary servitude in this State, otherwise than for the punishment of crime, whereof the party shall have been duly convicted.

SECTION 3. Every person may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that right, and no laws shall be passed to restrain or abridge the liberty of speech, or of the press. In all criminal prosecutions, or indictments for libel, the truth may be given in evidence, and if it shall appear to the jury, that the matter charged as libelous be true, and was published with good motives and for justifiable ends, the party shall be acquitted; and the jury shall have the right to determine the law and the fact.

SECTION 4. The right of the people peaceably to assemble, to consult for the common good, and to petition the government, or any department thereof, shall never be abridged.

SECTION 5. The right of trial by jury shall remain inviolate; and shall extend to all cases at law, without regard to the amount in controversy; but a jury trial may be waived by the parties in all cases, in the manner prescribed by law.

SECTION 6. Excessive bail shall not be required, nor shall excessive fines be imposed, nor cruel and unusual punishments be inflicted.

SECTION 7. In all criminal prosecutions, the accused shall enjoy the right to be heard by himself and counsel; to demand the nature and cause of the accusation against him; to meet the witnesses face to face; to have compulsory process to compel the attendance of witnesses in his behalf; and in prosecutions by indictment, or information, to a speedy public trial by an impartial jury of the county or district wherein the offence shall have been committed; which county or district shall have been previously ascertained by law.

[SECTION 8. No person shall be held to answer for a criminal offence, unless on the presentment, or indictment of a Grand Jury, except in cases of impeachment, or in cases cognizable by Justices of the Peace, or arising in the Army, or Navy, or in the militia when in actual service in time of war, or public danger; and no person for the same offence shall be put twice in jeopardy of punishment, nor shall be compelled in any criminal case to be a witness against himself; all persons shall, before conviction, be bailable by sufficient sureties, ex-

cept for capital offences . . . when the proof is evident, or the presumption great; and the privilege of the writ of *habeas-corpus* shall not be suspended unless when, in cases of rebellion, or invasion, the public safety may require.]

[Section 8, as amended by a vote of the people at the General Election, November 8, 1870.]

SECTION 8. No person shall be held to answer for a criminal offense without due process of law, and no person, for the same offense, shall be put twice in jeopardy of punishment, nor shall be compelled in any criminal case to be a witness against himself. All persons shall before conviction be bailable by sufficient sureties, except for capital offenses when the proof is evident or the presumption great; and the privilege of the writ of *habeas corpus* shall not be suspended unless when in case of rebellion or invasion the public safety may require it.

SECTION 9. Every person is entitled to a certain remedy in the laws, for all injuries, or wrongs which he may receive in his person, property, or character: he ought to obtain justice freely, and without being obliged to purchase it completely and without denial, promptly and without delay, conformably to the laws.

SECTION 10. Treason against the State shall consist only in levying war against the same or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on confession in open court.

SECTION 11. The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures shall not be violated; and no warrants shall issue, but upon probable cause, supported by oath, or affirmation and particularly describing the place to be searched, and the persons or things to be seized.

SECTION 12. No bill of attainder, *ex-post facto* law, nor any law impairing the obligation of contracts shall ever be passed, and no conviction shall work corruption of blood or forfeiture of estate.

SECTION 13. The property of no person shall be taken for public use, without just compensation therefor.

SECTION 14. All lands within the State are declared to be allodial, and feudal tenures are prohibited. — Leases and grants of agricultural land, for a longer term than fifteen years, in which rent, or service of any kind, shall be reserved, and all fines and like restraints upon alienation, reserved in any grant of land, hereafter made, are declared to be void.

SECTION 15. No distinction shall ever be made by law between resident aliens and citizens, in reference to the possession, enjoyment or descent of property.

SECTION 16. No person shall be imprisoned for debt, arising out of, or founded on a contract, expressed or implied.

SECTION 17. The privilege of the debtor to enjoy the necessary comforts of life, shall be recognized by wholesome laws, exempting a reasonable amount of property from seizure, or sale for the payment of any debt, or liability hereafter contracted.

SECTION 18. The right of every man to worship Almighty God, according to the dictates of his own conscience, shall never be infringed; nor shall any man be compelled to attend, erect, or support any place of worship, or to maintain any ministry against his consent; nor shall any control of, or interference with, the rights of conscience be permitted, or any preference be given by law to any religious establishments, or modes of worship; nor shall any money be drawn from the treasury for the benefit of religious societies, or religious, or theological seminaries.

SECTION 19. No religious test shall ever be required as a qualification for any office of public trust under the State, and no person shall be rendered incompetent to give evidence in any court of law, or equity, in consequence of his opinions on the subject of religion.

SECTION 20. The military shall be in strict subordination to the civil power.

SECTION 21. Writs of error shall never be prohibited by law.

SECTION 22. The blessings of a free government can only be maintained by a firm adherence to justice, moderation, temperance, frugality and virtue, and by frequent recurrence to fundamental principles.

ARTICLE II

BOUNDARIES

SECTION 1. It is hereby ordained and decared, that the State of Wisconsin doth consent and accept of the boundaries prescribed in the act of Congress entitled "An act to enable the people of Wisconsin Territory to form a Constitution and State government, and for the admission of such State into the Union," approved August sixth, one thousand eight hundred and forty-six, to-wit: Beginning at the northeast corner of the State of Illinois — that is to say; at a point in the centre of Lake Michigan, where the line of forty-two degrees and thirty minutes of north latitude crosses the same; thence running with the boundary line of the State of Michigan, through Lake Michigan, Green Bay, to the mouth of the Menominee river; thence up the channel of the said river to the Brule river; thence up said last mentioned river to Lake Brule; thence along the southern shore of Lake Brule in a direct line to the centre of the channel between Middle and South Islands, in the Lake of the Desert; thence in a direct line to the head waters of the Montreal River, as marked upon the survey made by Captain Cramm; thence down the main channel of the Montreal River to the middle of Lake Superior, thence through the centre of Lake Superior to the mouth of the St. Louis River; thence up the main channel of said river to the first rapids in the same, above the Indian village, according to Nichollet's map; thence due south to the main branch of the river St. Croix; thence down the main channel of said river to the Mississippi; thence down the centre of the main channel of that river to the northwest corner of the State of Illinois; thence due east with the northern boundary of the State of Illinois to the place of beginning, as established by "an act to enable the people of the Illinois Territory to form a Constitution and State government, and for the admission of such State into the Union on an equal footing with the original States," approved April 18, 1818. Provided, however, that the following alteration of the aforesaid boundary be and hereby is proposed to the Congress

of the United States as the preference of the State of Wisconsin, and if the same shall be assented and agreed to by the Congress of the United States, then the same shall be and forever remain obligatory on the State of Wisconsin, *viz.*: Leaving the aforesaid boundary line at the foot of the rapids of the St. Louis River; thence in a direct line, bearing southwesterly, to the mouth of the Iskodewabo, or Rum River, where the same empties into the Mississippi River, thence down the main channel of the said Mississippi River as prescribed in the aforesaid boundary.

SECTION 2. The proportions contained in the act of Congress are hereby accepted, ratified and confirmed, and shall remain irrevocable without the consent of the United States; and it is hereby ordained that this State shall never interfere with the primary disposal of the soil within the same by the United States, nor with any regulations Congress may find necessary for securing the title in such soil to bona-fide purchasers thereof: and no tax shall be imposed on land, the property of the United States, and in no case shall non-resident proprietors be taxed higher than residents. PROVIDED, that nothing in this Constitution, or in the Act of Congress aforesaid, shall in any manner prejudice, or affect the right of the State of Wisconsin to five hundred thousand acres of land, granted to said State, and to be hereafter selected and located by and under the Act of Congress entitled "An act to appropriate the proceeds of the sales of the public lands, and grant pre-emption rights, approved September fourth, one thousand eight hundred and forty-one.

ARTICLE III

SUFFRAGE

[SECTION 1. Every male person of the age of twenty-one years or upwards, belonging to either of the following classes, who shall have resided in the State for one year next preceding any election, shall be deemed a qualified elector at such election:

First. — White citizens of the United States.

Second. — White persons of foreign birth who shall have declared their intention to become citizens, conformably to the laws of the United States on the subject of naturalization.

Third. — Persons of Indian blood who have once been declared by law of Congress to be citizens of the United States, any subsequent law of Congress to the contrary notwithstanding.

Fourth. — Civilized persons of Indian descent, not members of any tribe: PROVIDED, that the Legislature may at any time extend, by law, the right of suffrage to persons not herein enumerated, but no such law shall be in force until the same shall have been submitted to a vote of the people at a general election, and approved by a majority of all the votes cast at such election.]

[Section 1, as amended by a vote of the people at the General Election, November, 7, 1882.]

SECTION 1. Every male person of the age of twenty-one years or upwards belonging to either of the following classes who shall have resided within the State for one year next preceding any election, and in the election district where he offers to vote, such time as may be prescribed by the Legislature, not exceeding thirty days, shall be deemed a qualified elector at such election.

1. Citizens of the United States.

2. Persons of foreign birth who shall have declared their intention to become citizens conformably to the laws of the United States on the subject of naturalization.

3. Persons of Indian blood who have once been declared by law of Congress to be citizens of the United States, any subsequent law of Congress to the contrary notwithstanding.

4. Civilized persons of Indian descent not members of any tribe; provided, that the Legislature may at any time extend by law the right of suffrage to persons not herein enumerated; but no such law shall be in force until the same shall have been submitted to a vote of the people at a general election and approved by a majority of all the votes cast at such election; and provided further, that in incorporated cities and villages, the Legislature may provide for the registration of electors and prescribe proper rules and regulations therefor.

SECTION 2. No person under guardianship, *non-compos mentis*, or insane, shall be qualified to vote at any election; nor shall any person convicted of treason, or felony, be qualified to vote at any election, unless restored to civil rights.

SECTION 3. All votes shall be given by ballot, except for such township officers as may by law be directed, or allowed to be otherwise chosen.

SECTION 4. No person shall be deemed to have lost his residence in this State, by reason of his absence on business of the United States, or of this State.

SECTION 5. No soldier, seaman, or marine in the army or navy of the United States, shall be deemed a resident of this State, in consequence of being stationed within the same.

SECTION 6. Laws may be passed excluding from the right of suffrage all persons who have been or may be convicted of bribery, or larceny, or of any infamous crime, and depriving every person who shall make, or become directly, or indirectly interested, in any bet or wager depending upon the result of any election, from the right to vote at such election.

ARTICLE IV

LEGISLATIVE

SECTION 1. The Legislative power shall be vested in a Senate and Assembly.

SECTION 2. The number of the members of the Assembly shall never be less than fifty-four, nor more than one hundred. The Senate shall consist of a number not more than one-third, nor less than one-fourth of the number of the members of the Assembly.

SECTION 3. The Legislature shall provide by law for an enumeration of the inhabitants of the State in the year one thousand eight hundred and fifty-five, and at the end of every ten years thereafter; and at their first session after such enumeration, and also after each enumeration made by the authority of the United States, the Legislature shall apportion

and district anew the members of the Senate and Assembly, according to the number of inhabitants, excluding Indians not taxed, and soldiers and officers of the United States Army and Navy.

[Section 4. The members of the Assembly shall be chosen annually by single districts, on the Tuesday succeeding the first Monday of November, by the qualified electors of the several districts. Such districts to be bounded by county, precinct, town, or ward lines, to consist of contiguous territory, and be in as compact form as practicable.]

[Section 4, as amended by a vote of the people at the General Election, November 8, 1881.]

SECTION 4. The members of the assembly shall be chosen biennially, by single districts, on the Tuesday succeeding the first Monday of November, after the adoption of this amendment, by the qualified electors of the several districts; such districts to be bounded by county, precinct, town or ward lines, to consist of contiguous territory, and be in as compact form as practicable.

[Section 5. The Senators shall be chosen by single districts of convenient contiguous territory, at the same time and in the same manner as members of the Assembly are required to be chosen, and no Assembly district shall be divided in the formation of a Senate district. The Senate districts shall be numbered in regular series, and the Senators chosen by the odd-numbered districts shall go out of office at the expiration of the first year, and the Senators chosen by the even-numbered districts shall go out of office at the expiration of the second year, and thereafter the Senators shall be chosen for the term of two years.]

[Section 5, as amended by a vote of the people at the General Election, November 8, 1881.]

SECTION 5. The Senators shall be elected by single districts of convenient contiguous territory, at the same time and in the same manner as members of the Assembly are required to be chosen, and no Assembly district shall be divided in the formation of a Senate district. The Senate districts shall be numbered in the regular series and the Senators shall be chosen

alternately from the odd and even-numbered districts. The Senators elected, or holding over at the time of the adoption of this amendment, shall continue in office till their successors are duly elected and qualified; and after the adoption of this amendment, all Senators shall be chosen for the term of four years.

SECTION 6. No person shall be eligible to the Legislature who shall not have resided one year within the State, and be a qualified elector in the district which he may be chosen to represent.

SECTION 7. Each house shall be the judge of the elections, returns and qualifications of its own members; and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may compel the attendance of absent members in such manner and under such penalties as each house may provide.

SECTION 8. Each house may determine the rules of its own proceedings, punish for contempt and disorderly behavior, and with the concurrence of two-thirds of all the members elected, expel a member; but no member shall be expelled a second time for the same cause.

SECTION 9. Each house shall choose its own officers and the Senate shall choose a temporary president, when the Lieutenant-Governor shall not attend as president, or shall act as Governor.

SECTION 10. Each house shall keep a journal of its proceedings and publish the same, except such parts as require secrecy. The doors of each house shall be kept open except when the public welfare shall require secrecy. Neither house shall, without the consent of the other, adjourn for more than three days.

[Section 11. The Legislature shall meet at the seat of government, at such time as shall be provided by law, once in each year, and not oftener, unless convened by the Governor.]

[Section 11, as amended by a vote of the people at the General Election, November 8, 1881.]

SECTION 11. The Legislature shall meet at the seat of government at such time as shall be provided by law, once in

two years and no oftener, unless convened by the Governor in special session, and when so convened no business shall be transacted except as shall be necessary to accomplish the special purposes for which it was convened.

SECTION 12. No member of the Legislature shall, during the term for which he was elected, be appointed or elected to any civil office in the State, which shall have been created, or the emoluments of which shall have been increased, during the term for which he was elected.

SECTION 13. No person being a member of Congress, or holding any military or civil office under the United States, shall be eligible to a seat in the Legislature and if any person shall, after his election as a member of the Legislature, be elected to Congress, or be appointed to any office, civil or military, under the government of the United States, his acceptance thereof shall vacate his seat.

SECTION 14. The Governor shall issue writs of election to fill such vacancies as may occur in either house of the Legislature.

SECTION 15. Members of the Legislature shall in all cases, except treason, felony, and breach of the peace, be privileged from arrest; nor shall they be subject to any civil process, during the session of the Legislature, nor for fifteen days next before the commencement and after the termination of each session.

SECTION 16. No member of the Legislature shall be liable in any civil action or criminal prosecution whatever, for words spoken in debate.

SECTION 17. The style of the laws of the State shall be "The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows": and no law shall be enacted except by bill.

SECTION 18. No private or local bill which may be passed by the Legislature shall embrace more than one subject, and that shall be expressed in the title.

SECTION 19. Any bill may originate in either house of the Legislature, and a bill passed by one house may be amended by the other.

SECTION 20. The yeas and nays of the members of either house, on any question shall, at the request of one-sixth of those present, be entered on the journal.

[Section 21. Each member of the Legislature shall receive for his services two dollars and fifty cents for each day's attendance during the session, and ten cents for every mile he shall travel in going to and returning from the place of the meeting of the Legislature on the most usual route.]

[Section 21, as amended by a vote of the people at the General Election, November 8, 1881.]

SECTION 21. Each member of the Legislature shall receive for his services, for and during a regular session, the sum of five hundred dollars, and ten cents for every mile he shall travel in going to and returning from the place of meeting of the Legislature on the most usual route. In case of an extra session of the Legislature, no additional compensation shall be allowed to any member thereof, either directly or indirectly, except for mileage to be computed at the same rate as for a regular session. No stationery, newspapers, postage or other perquisite, except the salary and mileage above provided, shall be received from the State by any member of the Legislature for his services, or in any other manner a such member.

SECTION 22. The Legislature may confer upon the boards of supervisors of the several counties of the State, such powers of a local, legislative, and administrative character as they shall from time to time prescribe.

SECTION 23. The Legislature shall establish but one system of town and county government which shall be as nearly uniform as practicable.

SECTION 24. The Legislature shall never authorize any lottery or grant any divorce.

SECTION 25. The Legislature shall provide by law, that all stationery required for the use of the State, and all printing authorized and required by them to be done for their use, or for the State, shall be let by contract to the lowest bidder, but the Legislature may establish a maximum price; no member of the Legislature, or other State officer shall be interested, either directly or indirectly, in any such contract.

SECTION 26. The Legislature shall never grant any extra compensation to any public officer, agent, servant, or contractor, after the services shall have been rendered or the contract entered into; nor shall the compensation of any public officer be increased, or diminished, during his term of office.

SECTION 27. The Legislature shall direct by law in what manner and in what courts, suits may be brought against the State.

SECTION 28. Members of the Legislature, and all officers, executive and judicial, except such inferior officers as may be by law exempted, shall before they enter upon the duties of their respective offices, take and subscribe an oath, or affirmation, to support the Constitution of the United States, and the Constitution of the State of Wisconsin, and faithfully to discharge the duties of their respective offices to the best of their ability.

SECTION 29. The Legislature shall determine what persons shall constitute the militia of the State, and may provide for organizing and disciplining the same in such manner as shall be prescribed by law.

SECTION 30. In all elections to be made by the Legislature, the members thereof shall vote *viva-voce*, and their votes shall be entered on the journal.

[Sections 31 and 32, as amended by a vote of the people at the General Election, Noevember 7, 1871, and amendment to Section 31, adopted November 8, 1892.]

SECTION 31. The Legislature is prohibited from enacting any special or private laws in the following cases: 1st. For changing the name of persons or constituting one person the heir-at-law of another. 2d. For laying out, opening or altering highways except in cases of State roads extending into more than one county, and military roads to aid in the construction of which lands may be granted by Congress. 3d. For authorizing persons to keep ferries across streams, at points wholly within this state. 4th. For authorizing the sale or mortgage of real or personal property of minors or others under disability. 5th. For locating or changing any county seat. 6th. For assessment or collection of taxes or for extend-

ing the time for collection thereof. 7th. For granting corporate powers or privileges, except to cities. 8th. For authorizing the apportionment of any part of the school fund. 9th. For incorporating any city, town or village, or to amend the charter thereof.

SECTION 32. The Legislature shall provide general laws for the transaction of any business that may be prohibited by section thirty-one of this article, and all such laws shall be uniform in their operations throughout the State.

ARTICLE V

EXECUTIVE

SECTION 1. The Executive power shall be vested in a Governor, who shall hold his office for two years; a Lieutenant-Governor shall be elected at the same time, and for the same term.

SECTION 2. No person except a citizen of the United States, and a qualified elector of the State, shall be eligible to the office of Governor, or Lieutenant-Governor.

SECTION 3. The Governor and Lieutenant-Governor shall be elected by the qualified electors of the State at the time and places of choosing members of the Legislature. The persons respectively having the highest number of votes for Governor and Lieutenant-Governor, shall be elected; but in case two or more shall have an equal and the highest number of votes for Governor, or Lieutenant-Governor, the two houses of the Legislature, at its next annual session, shall forthwith, by joint ballot, choose one of the persons so having an equal and the highest number of votes, for Governor, or Lieutenant-Governor. The returns of election for Governor and Lieutenant-Governor, shall be made in such manner as shall be provided by law.

SECTION 4. The Governor shall be Commander-in-Chief of the Military and Naval forces of the State. He shall have power to convene the Legislature on extraordinary occasions,

and in case of invasion, or danger from the prevalence of contagious disease at the seat of government, he may convene them at any other suitable place within the State. He shall communicate to the Legislature, at every session, the condition of the State; and recommend such matters to them for their consideration as he may deem expedient. He shall transact all necessary business with the officers of the government, civil and military. He shall expedite all such measures as may be resolved upon by the Legislature, and shall take care that the laws be faithfully executed.

[Section 5. The Governor shall receive during his continuance in office, an annual compensation of one thousand two hundred and fifty dollars.]

[Section 5, as amended by a vote of the people at the General Election, November 2, 1869.]

SECTION 5. The Governor shall receive, during his continuance in office, an annual compensation of five thousand dollars which shall be in full for all traveling or other expenses incident to his duties.

SECTION 6. The Governor shall have power to grant reprieves, commutations and pardons after conviction, for all offences, except treason and cases of impeachment, upon such conditions and with such restrictions and limitations as he may think proper, subject to such regulations as may be provided by law relative to the manner of applying for pardons. Under conviction for treason, he shall have the power to suspend the execution of the sentence, until the case shall be reported to the Legislature at its next meeting, when the Legislature shall either pardon, or commute the sentence, direct the execution of the sentence, or grant a further reprieve. He shall annually communicate to the Legislature each case of reprieve, commutation or pardon granted, stating the name of the convict, the crime of which he was convicted, the sentence and its date, and the date of the commutation, pardon or reprieve, with his reasons for granting the same.

SECTION 7. In case of the impeachment of the Governor, or his removal from office, death, inability from mental or physical disease, resignation, or absence from the State, the

powers and duties of the office shall devolve upon the Lieutenant-Governor for the residue of the term, or until the Governor, absent or impeached, shall have returned, or the disability shall cease. But when the Governor shall, with the consent of the Legislature, be out of the State in time of War, at the head of the Military force thereof, he shall continue Commander-in-Chief of the Military force of the State.

SECTION 8. The Lieutenant-Governor shall be President of the Senate, but shall have only a casting vote therein. If, during a vacancy in the office of Governor, the Lieutenant-Governor shall be impeached, displaced, resign, die, or from mental or physical disease become incapable of performing the duties of his office, or be absent from the State, the Secretary of State shall act as Governor, until the vacancy shall be filled, or the disability shall cease.

[Section 9. The Lieutenant-Governor shall receive double the *per-diem* allowance of members of the Senate for every day's attendance as President of the Senate, and the same mileage as shall be allowed to members of the Legislature.]

[Section 9, as amended by a vote of the people at the General Election, November 2, 1869.]

SECTION 9. The Lieutenant-Governor shall receive, during his continuance in office, an annual compensation of one thousand dollars.

SECTION 10. Every bill which shall have passed the Legislature shall, before it becomes a law, be presented to the Governor; if he approve, he shall sign it, but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large upon the journal and proceed to reconsider it. If, after such reconsideration two-thirds of the members present shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of the members present, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the members voting for or against the bill, shall be entered on the journal of each house respectively. If any bill shall not be returned by the Gov-

ernor within three days (Sundays excepted) after it shall have been presented to him, the same shall be a law, unless the Legislature shall, by their adjournment, prevent its return, in which case it shall not be a law.

ARTICLE VI

ADMINISTRATIVE

SECTION 1. There shall be chosen by the qualified electors of the State, at the times and places of choosing the members of the Legislature, a Secretary of State, Treasurer and Attorney-General, who shall severally hold their offices for the term of two years.

SECTION 2. The Secretary of State shall keep a fair record of the official acts of the Legislature and Executive department of the State, and shall, when required, lay the same and all matters relative thereto, before either branch of the Legislature. He shall be *ex officio* Auditor and shall perform such other duties as shall be assigned him by law. He shall receive as a compensation for his services yearly, such sum as shall be provided by law, and shall keep his office at the seat of government.

SECTION 3. The powers, duties and compensation of the Treasurer and Attorney-General shall be prescribed by law.

[Section 4. Sheriffs, Coroners, Registers of Deeds and District Attorneys shall be chosen by the electors of the respective counties, once in every two years, and as often as vacancies shall happen; Sheriffs shall hold no other office, and be ineligible for two years next succeeding the termination of their offices. They may be required by law, to renew their security from time to time; and in default of giving such new security, their offices shall be deemed vacant. But the county shall never be made responsible for the acts of the Sheriff. The Governor may remove any officer in this section mentioned, giving to such officer a copy of the charges against him, and an opportunity of being heard in his defence.]

[Section 4, as amended by a vote of the people at the General Election, November 7, 1882.]

SECTION 4. Sheriffs, coroners, registers of deeds, district attorneys, and all other county officers except judicial officers, shall be chosen by the electors of the respective counties, once in every two years. Sheriffs shall hold no other office, and be ineligible for two years next succeeding the termination of their offices; they may be required by law to renew their security from time to time, and in default of giving such new security their office shall be deemed vacant; but the county shall never be made responsible for the acts of the Sheriff. The Governor may remove any officer in this section mentioned, giving to such a copy of the charges against him and an opportunity of being heard in his defense. All vacancies shall be filled by appointment; and the person appointed to fill a vacancy shall hold only for the unexpired portion of the term to which he shall be appointed and until his successor shall be elected and qualified.

ARTICLE VII

JUDICIARY

SECTION 1. The court for the trial of impeachments shall be composed of the Senate. The House of Representatives shall have the power of impeaching all civil officers of this State, for corrupt conduct in office, or for crimes and misdemeanors; but a majority of all the members elected shall concur in an impeachment. On the trial of an impeachment against the Governor, the Lieutenant-Governor shall not act as a member of the court. No judicial officer shall exercise his office, after he shall have been impeached, until his acquittal. Before the trial of an impeachment, the members of the court shall take an oath or affirmation, truly and impartially to try the impeachment according to evidence; and no person shall be convicted without the concurrence of two-thirds of the members present. Judgment in cases of impeachment shall not extend further than to removal from office, or removal from

office and disqualification to hold any office of honor, profit, or trust under the State; but the party impeached shall be liable to indictment, trial, and punishment according to law.

SECTION 2. The judicial power of this State, both as to matters of law and equity, shall be vested in a Supreme Court, Circuit courts, Courts of Probate, and in Justices of the Peace. The Legislature may also vest such jurisdiction as shall be deemed necessary in municipal courts, and shall have power to establish inferior courts in the several counties, with limited civil and criminal jurisdiction. Provided, that the jurisdiction which may be vested in municipal courts, shall not exceed, in their respective municipalities, that of Circuit Courts in their respective circuits, as prescribed in this Constitution. And that the Legislature shall provide as well for the election of Judges of the Municipal courts as of the Judges of inferior courts, by the qualified electors of the respective jurisdictions. The term of office of the judges of the said Municipal and inferior courts shall not be longer than that of the Judges of the circuit court.

SECTION 3. The Supreme court, except in cases otherwise provided in this Constitution, shall have appellate jurisdiction only, which shall be co-extensive with the State; but in no case removed to the Supreme Court shall a trial by jury be allowed. The Supreme Court shall have a general superintending control over all inferior courts; it shall have power to issue writs of *habeas corpus*, *mandamus*, injunction, *quo warranto*, *certiorari*: and other original and remedial writs, and to hear and determine the same.

[Section 4. For the term of five years, and thereafter until the Legislature shall otherwise provide, the judges of the several circuit courts shall be judges of the Supreme Court, four of whom shall constitute a quorum, and the concurrence of a majority of the judges present shall be necessary to a decision. The Legislature shall have power, if they should think it expedient and necessary, to provide by law for the organization of a separate Supreme Court, with the jurisdiction and powers prescribed in this Constitution, to consist of one chief justice and two associate justices, to be elected by the qualified electors

of the State, at such time and in such manner as the Legislature may provide. The separate Supreme court when so organized, shall not be changed or discontinued by the Legislature: the judges thereof shall be so classified that but one of them shall go out of office at the same time; and their term of office shall be the same as is provided for the judges of the circuit court. And whenever the Legislature may consider it necessary to establish a separate Supreme court, they shall have power to reduce the number of circuit court judges to four and subdivide the judicial circuits, but no such subdivision or reduction shall take effect until after the expiration of the term of some one of said judges, or till a vacancy occur by some other means.]

[Section 4, as amended by a vote of the people at an election held April 2, 1889.]

SECTION 4. The chief justice and associate justices of the Supreme Court shall be severally known as justices of said court with the same terms of office, respectively, as now provided. The Supreme Court shall consist of five justices (any three of whom shall be a quorum), to be elected as now provided. The justice having been longest a continuous member of the court (or in case of two or more of such senior justices having served for the same length of time, then the one whose commission first expires), shall be *ex officio* the chief justice.

SECTION 5. The State shall be divided into five judicial circuits, to be composed as follows: The first circuit shall comprise the counties of Racine, Walworth, Rock and Green; the second circuit the counties of Milwaukee, Waukesha, Jefferson and Dane; the third circuit, the counties of Washington, Dodge, Columbia, Marquette, Sauk and Portage; the fourth circuit, the counties of Brown, Manitowoc, Sheboygan, Fond du Lac, Winnebago and Calumet; and the fifth circuit shall comprise the counties of Iowa, La Fayette, Grant, Crawford and St. Croix; and the county of Richland shall be attached to Iowa, the county of Chippewa to the county of Crawford, and the county of La Pointe to the county of St. Croix for judicial purposes until otherwise provided by the Legislature.

SECTION 6. The Legislature may alter the limits, or increase

the number of circuits, making them as compact and convenient as practicable, and bounding them by county lines; but no such alteration or increase shall have the effect to remove a judge from office. In case of an increase of circuits, the judge or judges shall be elected as provided in this Constitution and receive a salary not less than that herein provided for the judges of the circuit court.

[Section 7. For each circuit there shall be a judge chosen by the qualified electors therein, who shall hold his office as is provided in this Constitution, and until his successor shall be chosen and qualified; and after he shall have been elected, he shall reside in the circuit for which he was elected. One of said judges shall be designated as chief justice in such manner as the Legislature shall provide. And the Legislature shall at its first session provide by law as well for the election of, as for classifying the judges of the circuit court to be elected under this Constitution, in such manner that one of said judges shall go out of office in two years, one in three years, one in four years, one in five years and one in six years, and thereafter the judge elected to fill the office shall hold the same for six years.]

[Section 7, as amended by a vote of the people at an election held April 6, 1897.]

SECTION 7. For each circuit there shall be chosen by the qualified electors thereof, one circuit judge, except that in any circuit composed of one county only, which county shall contain a population according to the last state or United States census, of one hundred thousand inhabitants or over, the Legislature may, from time to time, authorize additional circuit judges to be chosen. Every circuit judge shall reside in the circuit from which he is elected, and shall hold his office for such term and receive such compensation as the Legislature shall prescribe.

SECTION 8. The circuit courts shall have original jurisdiction in all matters civil and criminal within this State, not excepted in this Constitution, and not hereafter prohibited by law; and appellate jurisdiction from all inferior courts and tribunals and a supervisory control over the same. They shall also have

the power to issue writs of *habeas corpus*, *mandamus*, injunction, *quo warranto*, *certiorari*, and all other writs necessary to carry into effect their orders, judgments and decrees, and give them a general control over inferior courts and jurisdictions.

SECTION 9. When a vacancy shall happen in the office of judge of the Supreme or Circuit courts, such vacancy shall be filled by an appointment of the Governor, which shall continue until a successor is elected and qualified; and when elected such successor shall hold his office the residue of the unexpired term. There shall be no election for a judge or judges at any general election for State or county officers, nor within thirty days either before or after such election.

SECTION 10. Each of the judges of the Supreme and circuit courts shall receive a salary, payable quarterly, of not less than one thousand five hundred dollars annually; they shall receive no fees of office, or other compensation than their salaries; they shall hold no office of public trust, except a judicial office, during the term for which they are respectively elected, and all votes for either of them for any office, except a judicial office, given by the Legislature or the people, shall be void. No person shall be eligible to the office of judge, who shall not, at the time of his election, be a citizen of the United States, and have attained the age of twenty-five years, and be a qualified elector within the jurisdiction for which he may be chosen.

SECTION 11. The Supreme Court shall hold at least one term, annually, at the seat of government of the State, at such time as shall be provided by law. And the Legislature may provide for holding other terms, and at other places when they may deem it necessary. A Circuit Court shall be held, at least twice in each year, in each county of this State organized for judicial purposes. The judges of the circuit court may hold courts for each other, and shall do so when required by law.

[SECTION 12. There shall be a clerk of the Circuit Court chosen in each county organized for judicial purposes, by the qualified electors thereof, who shall hold his office for two years, subject to removal, as shall be provided by law. In case of a vacancy, the judge of the Circuit Court shall have the power to appoint a clerk until the vacancy shall be filled by an

election. The clerk thus elected or appointed shall give such security as the Legislature may require; and when elected shall hold his office for a full term. The Supreme Court shall appoint its own clerk, and the clerk of a Circuit Court may be appointed clerk of the Supreme Court.]

[Section 12, as amended by a vote of the people at the General Election, November 7, 1882.]

SECTION 12. There shall be a clerk of the Circuit Court chosen in each county organized for judicial purposes by the qualified electors thereof, who shall hold his office for two years, subject to removal as shall be provided by law; in case of a vacancy the judge of the Circuit Court shall have power to appoint a clerk until the vacancy shall be filled by an election; the clerk thus elected or appointed shall give such security as the Legislature may require. The Supreme Court shall appoint its own clerk; and a clerk of the Circuit Court may be appointed a clerk of the Supreme Court.

SECTION 13. Any judge of the Supreme or Circuit Court may be removed from office, by address of both houses of the Legislature, if two-thirds of all the members elected to each house concur therein, but no removal shall be made by virtue of this section, unless the judge complained of shall have been served with a copy of the charges against him, as the ground of address, and shall have had an opportunity of being heard in his defence. On the question of removal, the ayes and noes shall be entered on the journals.

SECTION 14. There shall be chosen in each county, by the qualified electors thereof, a Judge of Probate, who shall hold his office for two years, and until his successors shall be elected and qualified, and whose jurisdiction, powers and duties shall be prescribed by law. Provided, however, that the Legislature shall have power to abolish the office of Judge of Probate in any county, and to confer Probate powers upon such inferior courts as may be established in said county.

SECTION 15. The electors of the several towns, at their annual town meeting, and the electors of cities and villages, at their charter elections, shall in such manner as the Legislature may direct, elect justices of the peace, whose term of

office shall be for two years, and until their successors in office shall be elected and qualified. In case of an election to fill a vacancy, occurring before the expiration of a full term, the justice elected shall hold for the residue of the unexpired term. Their number and classification shall be regulated by law. And the tenure of two years shall in no wise interfere with the classification in the first instance. The justices, thus elected, shall have such civil and criminal jurisdiction as shall be prescribed by law.

SECTION 16. The Legislature shall pass laws for the regulation of tribunals of conciliation, defining their powers and duties. Such tribunals may be established in and for any township, and shall have power to render judgment to be obligatory on the parties, when they shall voluntarily submit their matter in difference to arbitration, and agree to abide the judgment, or assent thereto in writing.

SECTION 17. The style of all writs and process shall be, "The State of Wisconsin"; all criminal prosecutions shall be carried on in the name and by the authority of the same; and all indictments shall conclude against the peace and dignity of the State.

SECTION 18. The Legislature shall impose a tax on all civil suits commenced, or prosecuted in the municipal, inferior, or circuit courts, which shall constitute a fund to be applied toward the payment of the salary of judges.

SECTION 19. The testimony in causes in equity shall be taken in like manner as in cases at law, and the office of master in chancery is hereby prohibited.

SECTION 20. Any suitor, in any court of this State, shall have the right to prosecute or defend his suit either in his own proper person, or by an Attorney or agent of his choice.

SECTION 21. The Legislature shall provide by law for the speedy publication of all statute laws, and of such judicial decisions, made within the State, as may be deemed expedient. And no general law shall be in force until published.

SECTION 22. The Legislature at its first session, after the adoption of this Constitution, shall provide for the appointment of three commissioners, whose duty it shall be to inquire

into, revise, and simplify the rules of practice, pleadings, forms and proceedings, and arrange a system, adapted to the courts of record of this State, and report the same to the Legislature, subject to their modification and adoption; and such commission shall terminate upon the rendering of the report, unless otherwise provided by law.

SECTION 23. The Legislature may provide for the appointment of one or more persons in each organized county, and may vest in such persons such judicial powers as shall be prescribed by law. Provided, that said power shall not exceed that of a judge of a Circuit Court at chambers.

ARTICLE VIII

FINANCE

SECTION 1. The rules of taxation shall be uniform, and taxes shall be levied upon such property as the Legislature shall prescribe.

[SECTION 2. No money shall be paid out of the treasury, except in pursuance of an appropriation by law.]

[Section 2, as amended by a vote of the people at the General Election, November 6, 1877.]

SECTION 2. No money shall be paid out of the treasury, except in pursuance of an appropriation by law. No appropriation shall be made for the payment of any claim against the State, except claims of the United States, and judgments unless filed within six years after the claim accrued.

SECTION 3. The credit of the State shall never be given, or loaned, in aid of any individual, association, or corporation.

SECTION 4. The State shall never contract any public debt, except in the cases and manner herein provided.

SECTION 5. The Legislature shall provide for an annual tax sufficient to defray the estimated expenses of the State for each year; and whenever the expenses of any year shall exceed the income, the Legislature shall provide for levying a tax for the ensuing year, sufficient, with other sources of in-

come, to pay the deficiency as well as the estimated expenses of such ensuing year.

SECTION 6. For the purpose of defraying extraordinary expenditures, the State may contract public debts (but such debts shall never in the aggregate exceed one hundred thousand dollars). Every such debt shall be authorized by law, for some purpose or purposes to be distinctly specified therein; and the vote of a majority of all the members elected to each house, to be taken by yeas and nays, shall be necessary to the passage of such law; and every such law shall provide for levying an annual tax sufficient to pay the annual interest of such debt, and the principal within five years from the passage of such law, and shall specially appropriate the proceeds of such taxes to the payment of such principal and interest; and such appropriation shall not be repealed, nor the taxes be postponed, or diminished, until the principal and interest of such debt shall have been wholly paid.

SECTION 7. The Legislature may also borrow money to repel invasion, suppress insurrection, or defend the State in time of war; but the money thus raised shall be applied exclusively to the object for which the loan was authorized, or to the repayment of the debt thereby created.

SECTION 8. On the passage in either house of the Legislature, of any law which imposes, continues, or renews a tax, or creates a debt, or charge, or makes, continues, or renews an appropriation of public, or trust money, or releases, discharges, or commutes a claim, or demand of the State, the question shall be taken by yeas and nays, which shall be duly entered on the journal; and three-fifths of all the members elected to such house shall in all such cases be required to constitute a quorum therein.

SECTION 9. No scrip, certificate or other evidence of State debt, whatsoever, shall be issued, except for such debts as are authorized by the sixth and seventh sections of this Article.

SECTION 10. The State shall never contract any debt for works of Internal Improvement, or be a party in carrying on such works, but whenever grants of land or other property shall have been made to the State, especially dedicated by the

grant to particular works of Internal Improvement, the State may carry on such particular works, and shall devote thereto the avails of such grants, and may pledge or appropriate the revenues derived from such works in aid of their completion

ARTICLE IX

EMINENT DOMAIN AND PROPERTY OF THE STATE

SECTION 1. The State shall have concurrent jurisdiction on all rivers and lakes bordering on the State, so far as such rivers or lakes shall form a common boundary to the State, and any other State, or Territory, now or hereafter to be formed, and bounded by the same. And the river Mississippi and the navigable waters leading into the Mississippi and St. Lawrence, and the carrying places between the same shall be common highways and forever free, as well to the inhabitants of the State, as to the citizens of the United States, without any tax, impost or duty therefor.

SECTION 2. The title to all lands and other property which have accrued to the Territory of Wisconsin by grant, gift, purchase, forfeiture, *escheat*, or otherwise shall vest in the State of Wisconsin.

SECTION 3. The people of the State, in their right of sovereignty, are declared to possess the ultimate property, in and to all lands within the jurisdiction of the State, and all lands the title to which shall fall from a defect of heirs, shall revert or *escheat* to the people.

ARTICLE X

EDUCATION

[SECTION 1. The supervision of public instruction shall be vested in a State Superintendent, and such other officers as the Legislature shall direct. The State Superintendent shall be chosen by the qualified electors of the State, in such manner as the Legislature shall provide; his powers, duties and compen-

sation shall be prescribed by law, provided that his compensation shall not exceed the sum of twelve hundred dollars annually.]

[Section 1, as amended by vote of the people at the General Election, November 4, 1902.]

SECTION 1. The supervision of public instruction shall be vested in a state superintendent and such other officers as the Legislature shall direct; and their qualifications, powers, duties and compensation shall be prescribed by law. The state superintendent shall be chosen by the qualified electors of the state at the same time and in the same manner as members of the Supreme Court, and shall hold his office for four years from the succeeding first Monday in July. The state superintendent chosen at the general election in November, 1902, shall hold and continue in his office until the first Monday of July, 1905, and his successor shall be chosen at the time of the judicial election in April, 1905. The term of office, time and manner of electing or appointing all other officers of supervision of public instruction shall be fixed by law.

SECTION 2. The proceeds of all lands, that have been or hereafter may be granted by the United States to this State for educational purposes (except the lands heretofore granted for the purpose of a University) and all moneys, and the clear proceeds of all property that may accrue to the State by forfeiture or *escheat*, and all moneys which may be paid as an equivalent for exemption from military duty; and the clear proceeds of all fines collected, in the several counties for any breach of the penal laws, and all moneys arising from any grant to the State where the purposes of such grant are not specified, and the five hundred thousand acres of land, to which the State is entitled by the provisions of an act of Congress entitled "An act to appropriate the proceeds of the sales of the public lands, and to grant pre-emption rights," approved the fourth day of September, one thousand eight hundred and forty-one; and also the five per-centum of the net proceeds of the public lands to which the State shall become entitled on her admission into the Union (if Congress shall consent to such appropriation of the two grants last mentioned) shall be set apart as a

separate fund, to be called "The School Fund," the interest of which and all other revenues derived from the school lands, shall be exclusively applied to the following objects, to-wit:

First. To the support and maintenance of common schools, in each school district, and the purchase of suitable libraries and apparatus therefor.

Second. The residue shall be appropriated to the support and maintenance of Academies and Normal Schools, and suitable libraries and apparatus therefor.

SECTION 3. The Legislature shall provide by law for the establishment of District Schools, which shall be as nearly uniform as practicable; and such schools shall be free and without charge for tuition, to all children between the ages of four and twenty years; and no sectarian instruction shall be allowed therein.

SECTION 4. Each town and city shall be required to raise, by tax, annually, for the support of common schools therein a sum not less than one-half the amount received by such town or city respectively for school purposes from the income of the school fund.

SECTION 5. Provision shall be made by law, for the distribution of the income of the school fund among the several towns and cities of the State, for the support of common schools therein, in some just proportion to the number of children and youth resident therein, between the ages of four and twenty years, and no appropriation shall be made from the school fund to any city, or town, for the year in which said city or town shall fail to raise such tax; nor to any school district for the year in which a school shall not be maintained at least three months.

SECTION 6. Provision shall be made by law for the establishment of a State University, at or near the seat of State government, and for connecting with the same, from time to time, such colleges in different parts of the State, as the interests of education may require. The proceeds of all lands that have been, or may hereafter be granted by the United States to the State for the support of a University, shall be and remain a perpetual fund, to be called "The University

Fund," the interest of which shall be appropriated to the support of the State University, and no Sectarian instruction shall be allowed in such University.

SECTION 7. The Secretary of State, Treasurer and Attorney General, shall constitute a board of commissioners for the sale of the School and University lands, and for the investment of the funds arising therefrom. Any two of said commissioners shall be a quorum for the transaction of all business pertaining to the duties of their office.

SECTION 8. Provision shall be made by law for the sale of all School and University lands, after they shall have been appraised; and when any portion of such lands shall be sold and the purchase money shall not be paid at the time of the sale, the commissioners shall take security by mortgage upon the land sold for the sum remaining unpaid, with seven per cent interest thereon, payable annually at the office of the Treasurer. The commissioners shall be authorized to execute a good and sufficient conveyance to all purchasers of such lands, and to discharge any mortgages taken as security, when the sum due thereon shall have been paid. The commissioners shall have power to withhold from sale any portion of such lands, when they shall deem it expedient, and shall invest all moneys arising from the sale of such lands, as well as all other University and School funds, in such manner as the Legislature shall provide, and shall give such security for the faithful performance of their duties as may be required by law.

ARTICLE XI

CORPORATIONS

SECTION 1. Corporations without banking powers or privileges may be formed under general laws, but shall not be created by special act, except for municipal purposes, and in cases where in the judgment of the Legislature, the objects of the corporation cannot be attained under general laws. All general laws or special acts, enacted under the provisions of

this section, may be altered or repealed by the Legislature at any time after their passage.

SECTION 2. No municipal corporation shall take private property for public use, against the consent of the owner, without the necessity thereof being first established by the verdict of a jury.

[SECTION 3. It shall be the duty of the Legislature, and they are hereby empowered, to provide for the organization of cities and incorporated villages, and to restrict their power of taxation, assessment, borrowing money, contracting debts and loaning their credit, so as to prevent abuses in assessments and taxation, and in contracting debts by such municipal corporations.]

[Section 3, as amended by a vote of the people at the General Election, November 3, 1874.]

SECTION 3. It shall be the duty of the Legislature, and they are hereby empowered, to provide for the organization of cities and incorporated villages, and to restrict their power of taxation, assessment, borrowing money, contracting debts, and loaning their credit, so as to prevent abuses in assessments and taxation, and in contracting by such municipal corporations. No county, city, town, village, school district, or other municipal corporation, shall be allowed to become indebted in any manner or for any purpose, to any amount, including existing indebtedness, in the aggregate exceeding five per centum on the value of the taxable property therein, to be ascertained by the last assessment for state and county taxes, previous to the incurring of such indebtedness. Any county, city, town, village, school district, or other municipal corporation, incurring any indebtedness as aforesaid, shall before or at the time of doing so, provide for the collection of a direct annual tax sufficient to pay the interest on said debt as it falls due, and also to pay and discharge the principle thereof within twenty years from the time of contracting the same.

[SECTION 4. The Legislature shall not have power to create, authorize or incorporate, by any general, or special law, any bank, or banking power or privilege, or any institution or corporation having any banking power or privilege whatever, except

as provided in this article. SECTION 5. The Legislature may submit to the voters, at any general election, the question of "BANK," or "No BANK," and if at any such election a number of votes equal to a majority of all the votes cast at such election on that subject shall be in favor of Banks, then the Legislature shall have power to grant Bank charters, or to pass a general Banking law, with such restrictions and under such regulations as they may deem expedient and proper for the security of the bill holders. Provided, that no such grant or law shall have any force or effect until the same shall have been submitted to a vote of the electors of the State, at some general election, and been approved by a majority of the votes cast on that subject at such election.]

[Section 4 and 5, as amended by a vote of the people at a General Election, November 4, 1902.]

SECTION 4. The Legislature shall have power to enact a general banking law for the creation of banks, and for the regulation and supervision of the banking business, provided that the vote of two-thirds of all the members elected to each house, to be taken by yeas and nays, be in favor of the passage of such law.

ARTICLE XII

AMENDMENTS

SECTION 1. Any amendment, or amendments, to this Constitution may be proposed in either house of the Legislature, and if the same shall be agreed to by a majority of the members elected to each of the two houses, such proposed amendment, or amendments, shall be entered on their journals, with the yeas and nays taken thereon, and referred to the Legislature to be chosen at the next general election; and shall be published for three months previous to the time of holding such election, and if, in the Legislature so next chosen, such proposed amendment, or amendments shall be agreed to by a majority of all the members elected to each house, then it shall be the duty of the Legislature to submit such proposed amend-

ment, or amendments, to the people in such manner, and at such time, as the Legislature shall prescribe; and if the people shall approve and ratify such amendment, or amendments, by a majority of the electors voting thereon, such amendment, or amendments, shall become part of the Constitution; PROVIDED, that if more than one amendment be submitted, they shall be submitted in such manner that the people may vote for or against such amendments separately.

SECTION 2. If at any time a majority of the Senate and Assembly shall deem it necessary to call a convention to revise or change this Constitution, they shall recommend to the electors to vote for or against a convention at the next election for members of the Legislature. And if it shall appear that a majority of the electors voting thereon, have voted for a convention, the Legislature shall, at its next session, provide for calling such convention.

ARTICLE XIII

MISCELLANEOUS PROVISIONS

[Section 1. The political year for the State of Wisconsin shall commence on the first Monday in January in each year, and the general election shall be holden on the Tuesday succeeding the first Monday in November in each year.]

[Section 1, as amended by a vote of the people at the General Election, November 7, 1882.]

SECTION 1. The political year for the State of Wisconsin shall commence on the first Monday in January in each year, and the general elections shall be holden on the Tuesday next succeeding the first Monday in November. The first general election for all state and county officers, except judicial officers, after the adoption of this amendment, shall be holden in the year A. D. 1884, and thereafter the general election shall be held biennially. All state, county or other officers elected at the general election in the year 1881, and whose term of office would otherwise expire on the first Monday of January in the

year 1884, shall hold and continue in such office respectively, until the first Monday in January in the year 1885.

SECTION 2. Any inhabitant of this State who may hereafter be engaged, either directly or indirectly in a duel, either as principal or accessory, shall forever be disqualified as an elector and from holding any office under the Constitution and laws of this State, and may be punished in such other manner as shall be prescribed by law.

SECTION 3. No member of Congress, nor any person holding any office of profit or trust under the United States (Postmasters excepted) or under any foreign power; no person convicted of any infamous crime in any court within the United States; and no person being a defaulter to the United States, or to this State, or to any county, or town therein, or to any State, or Territory within the United States, shall be eligible to any office of trust, profit, or honor in this State.

SECTION 4. It shall be the duty of the Legislature to provide a great seal for the State, which shall be kept by the Secretary of State, and all official acts of the Governor, his approbation of the laws excepted, shall be thereby authenticated.

SECTION 5. All persons residing upon Indian lands, within any county of the State, and qualified to exercise the right of suffrage under this Constitution, shall be entitled to vote at the polls which may be held nearest their residence, for State, United States or County officers. Provided, that no person shall vote for county officers out of the county in which he resides.

SECTION 6. The elective officers of the Legislature, other than the presiding officers, shall be a chief clerk and a sergeant-at-arms, to be elected by each house.

SECTION 7. No county with an area of nine hundred square miles, or less, shall be divided, or have any part stricken therefrom without submitting the question to a vote of the people of the county, nor unless a majority of all the legal voters of the county, voting on the question, shall vote for the same.

SECTION 8. No county seat shall be removed until the point to which it is proposed to be removed shall be fixed by law,

and a majority of the voters of the county, voting on the question, shall have voted in favor of its removal to such point.

SECTION 9. All county officers whose election, or appointment, is not provided for by this Constitution, shall be elected by the electors of the respective counties, or appointed by the boards of supervisors, or other county authorities, as the Legislature shall direct. All city, town and village officers, whose election or appointment is not provided for by this Constitution, shall be elected by the electors of such cities, towns and villages, or of some division thereof, or appointed by such authorities thereof, as the Legislature shall designate for that purpose. All other officers whose election or appointment is not provided for by this Constitution, and all officers whose offices may hereafter be created by law, shall be elected by the people, or appointed, as the Legislature may direct.

SECTION 10. The Legislature may declare the cases in which any office shall be deemed vacant, and also the manner of filling the vacancy, where no provision is made for that purpose in this Constitution.

[Article XIII, as amended by addition of Section 11, by a vote of the people at the General Election, November 4, 1902.]

SECTION 11. No person, association, co-partnership or corporation, shall promise, offer, or give, for any purpose, to any political committee, or any member or employee thereof, to any candidate for, or incumbent of any office or position under the Constitution or laws, or under any ordinance of any town or municipality of this State, or to any person at the request or for the advantage of all, or any of them, any free pass or frank, or any privilege withheld from any person, for the traveling accommodation or transportation of any person or property, or the transmission of any message or communication. No political committee, and no member or employee thereof, no candidate for, and no incumbent of any office or position under the Constitution or laws, or under any ordinance of any town or municipality of this state, shall ask for or accept, from any person, association, co-partnership, or corporation, or use, in any manner, or for any purpose, any free pass or frank, or any privilege withheld from any person, for the traveling accommo-

dation, or transportation of any person or property, or the transmission of any message or communication. Any violation of any of the above provisions shall be bribery and be punished as provided by law, and if any officer or any member of the Legislature be guilty thereof, his office shall become vacant. No person with the purview of this act shall be privileged from testifying in relation to anything therein prohibited; and no person having so testified shall be liable to any prosecution or punishment for any offense concerning which he was required to give his testimony or produce any documentary evidence. The railroad commissioner and his deputy in the discharge of duty are excepted from the provisions of this amendment.

ARTICLE XIV

This article in the original Constitution outlines the special ways and means by which the new Constitution was made applicable to the new state. As the provisions of the article no longer apply, the article is omitted.

CONSTITUTION OF WISCONSIN

I The Legislative Power

SECTION 1. "The Legislative power shall be vested in a Senate and Assembly."

SECTION 2. "The number of the members of the Assembly shall never be less than fifty-four, nor more than one hundred. The Senate shall consist of a number not more than one-third, nor less than one-fourth, of the number of the members of the Assembly."

SECTION 3. "The Legislature shall provide by law for an enumeration of the inhabitants of the State, in the year one thousand eight hundred and fifty-five, and at the end of every ten years thereafter; and at their first session after such enumeration, and also for each enumeration made by the authority of the United States, the Legislature shall apportion and district anew the members of the Senate and Assembly, according to the number of inhabitants, excluding Indians not taxed, and soldiers and officers of the United States army and navy.

SECTION 4 (*as amended November 8, 1881*). The members of the Assembly shall be chosen biennially by single districts on the Tuesday succeeding the first Monday of November after the adoption of this Amendment, by the qualified electors of the several

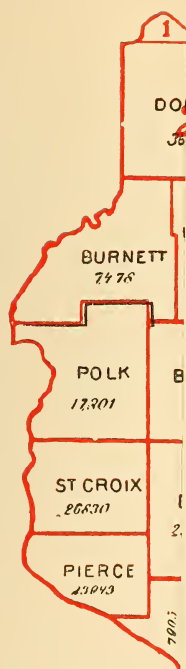
districts; such districts to be bounded by County, Precinct, Town, or ward lines, to consist of contiguous territory, and be in as compact form as practicable."

SECTION 5 (*as amended November 8, 1881*). "The Senators shall be elected by single districts of convenient contiguous territory, at the same time and in the same manner as members of the Assembly are required to be chosen, and no Assembly District shall be divided in the formation of a Senate District. The Senate Districts shall be numbered in the regular series, and the Senators shall be chosen alternately from the odd and even numbered districts. The Senators elected or holding over at the time of the adoption of this Amendment, shall continue in office till their successors are duly elected and qualified; and after the adoption of this Amendment, all Senators shall be chosen for the term of four years."

SECTION 6. "No person shall be eligible to the Legislature, who shall not have resided one year within the State, and be a qualified elector in the district which he may be chosen to represent."

1. The Assembly now consists of one hundred members, the Senate of thirty-three. Members of the Assembly hold office for two, and members of the Senate, for four years.

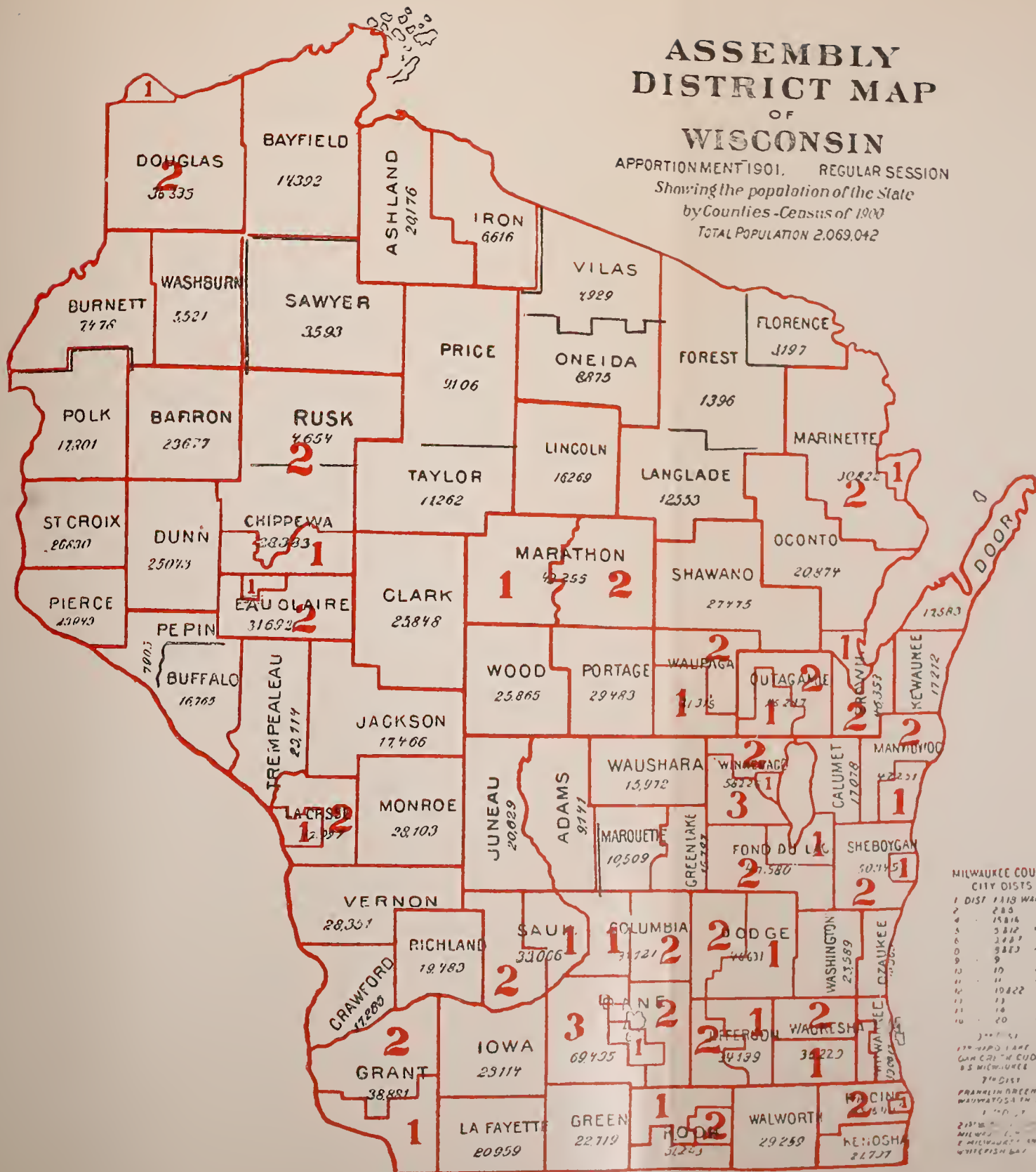
2. The student will note that the United States takes a census every ten years, and Wisconsin every ten years, but as the State census comes about midway between the censuses of the United States the people of Wisconsin have a census every five years.





ASSEMBLY DISTRICT MAP OF WISCONSIN

APPORTIONMENT 1901. REGULAR SESSION
Showing the population of the State
by Counties - Census of 1900
TOTAL POPULATION 2,069,042



MILWAUKEE COUNTY CITY DIST.

1 DIST. 1118 WARDS	
2	285
4	15,816
5	5,812
6	1,987
8	9,813
9	9
10	10
11	11
12	10,422
13	13
14	16
15	20

30th DIST.
17th DIST. LAKE
CANTON - W. CUDAH
S. S. MILWAUKEE
7th DIST.
FRANKLIN GREENFIELD
WATKINS LAKE
1st DIST.
21st DIST.
MILWAUKEE
8th DIST.
WHITEFISH LAKE



SECTION 7. "Each House shall be the judge of the elections, returns and qualifications of its own members; and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may compel the attendance of absent members in such manner, and under such penalties as each House may provide."

SECTION 8. "Each House may determine the rules of its own proceedings, punish for contempt and disorderly behavior, and with the concurrence of two-thirds of all the members elected, expel a member; but no member shall be expelled a second time for the same cause."

SECTION 9. "Each House shall choose its own officers and the Senate shall choose a temporary president, when the Lieutenant-Governor shall not attend as president, or shall act as Governor."

SECTION 10. "Each House shall keep a journal of its proceedings and publish the same, except such parts as require secrecy. The doors of each House shall be kept open except when the public welfare shall require secrecy. Neither house shall, without the consent of the other, adjourn for more than three days."

[Section 11, as amended by a vote of the people at the General Election, November 8, 1881.]

SECTION 11. "The Legislature shall meet at the seat of government at such time as shall be provided by law, once in two years and no oftener, unless convened by the Governor in special session, and when so convened no business shall be transacted

except as shall be necessary to accomplish the special purposes for which it was convened."

1. The Legislature meets at 12 M. on the second Wednesday in January of the odd numbered year.

2. The student will note the similarity of Sections 7-10 to the corresponding sections of the United States Constitution.

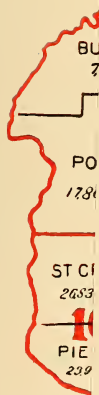
3. The salary of Assemblymen and Senators is \$500 for each session, and 10 cents mileage, but with no other perquisites of any kind.

SECTION 12. "No member of the Legislature shall, during the term for which he was elected, be appointed or elected to any civil office in the State, which shall have been created, or the emoluments of which shall have been increased, during the term for which he was elected."

SECTION 13. "No person being a member of Congress, or holding any military or civil office under the United States, shall be eligible to a seat in the Legislature and if any person shall, after his election as a member of the Legislature, be elected to Congress, or be appointed to any office, civil or military, under the government of the United States, his acceptance thereof shall vacate his seat."

SECTION 14. "The Governor shall issue writs of election to fill such vacancies as may occur in either House of the Legislature."

SECTION 15. "Members of the Legislature shall in all cases, except treason, felony, and breach of the peace, be privileged from arrest; nor shall they



POPULATION

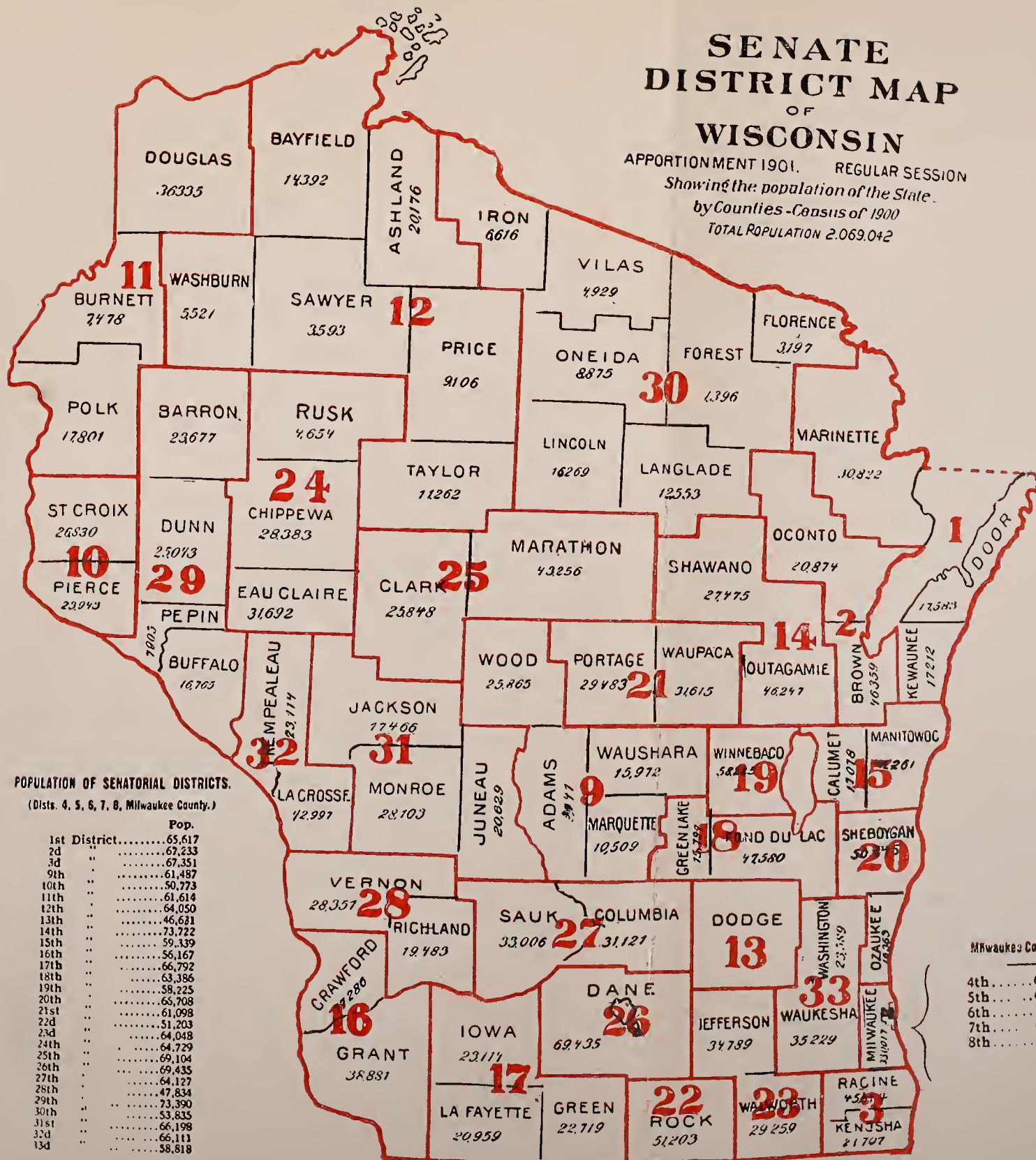
(Dist. 4, 5)

1st I
2d
3d
9th
10th
11th
12th
13th
14th
15th
16th
17th
18th
19th
20th
21st
22d
23d
24th
25th
26th
27th
28th
29th
30th
31st
32d
33d



SENATE DISTRICT MAP OF WISCONSIN

APPORTIONMENT 1901. REGULAR SESSION
Showing the population of the State
by Counties - Census of 1900
TOTAL POPULATION 2,069,042



POPULATION OF SENATORIAL DISTRICTS.
(Dists. 4, 5, 6, 7, 8, Milwaukee County.)

District	Pop.
1st	65,617
2d	67,233
3d	67,351
4th	61,487
5th	50,773
6th	61,614
7th	64,050
8th	46,681
9th	73,722
10th	59,339
11th	56,167
12th	66,792
13th	63,386
14th	58,225
15th	66,708
16th	61,098
17th	51,203
18th	64,048
19th	64,729
20th	69,104
21st	69,435
22d	64,127
23d	47,834
24th	73,390
25th	53,835
26th	66,198
27th	66,111
28th	58,818

Milwaukee Co. Dists.

4th	61,035
5th	69,196
6th	71,771
7th	63,533
8th	64,482



be subject to any civil process, during the session of the Legislature, nor for fifteen days next before the commencement and after the termination of each session.

SECTION 16. "No member of the Legislature shall be liable in any civil action or criminal prosecution whatever, for words spoken in debate."

SECTION 17. "The style of the laws of the State shall be 'The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows': and no law shall be enacted except by bill."

SECTION 18. "No private or local bill which may be passed by the Legislature shall embrace more than one subject, and that shall be expressed in the title."

SECTION 19. "Any bill may originate in either House of the Legislature, and a bill passed by one House may be amended by the other."

SECTION 20. "The yeas and nays of the members of either House, on any question shall, at the request of one-sixth of those present, be entered on the journal."

Sections 21-32 of the Legislative power enumerate certain duties and prohibitions on the Legislature.

In the early days there was much abuse of the Legislative power of the States, in that individuals would get laws made that singled out some particular interest to be encouraged or prohibited. Thus an influential representative might get certain privileges for his city that no other city had, or obtain some exemption from taxation, or the establishment

of some road, or the regulation of some river by laws that applied to no one else. In Section 31, certain special laws are forbidden, and the attempt is made to bring all individuals and corporations under the same privileges and duties.

QUESTIONS ON THE LEGISLATIVE POWER OF THE STATE

1. In whom is the Legislative power of the State vested? Give their number, apportionment, term of office, and salary.

2. Answer the same as in (1) for the Senators and Representatives of the United States.

3. Examine boundaries of the Assembly and Senatorial districts — does there seem to be any gerrymandering?

4. What Constitutional provisions make gerrymandering difficult?

5. As has been shown, most of the work of Congress is done in, and by committees. It is so also in the State Legislature. There are joint committees, standing committees, and special committees.

Here are a few of the twenty or more standing committees of the Senate. Give your opinion as to what problems each concerns itself with:

Agriculture, Federal relations, taxation, villages and cities, public health, elections, banks and insurance.

6. What reason do you see for the prohibitions in Article IV, Sections 18 and 24?

7. Show the difference between "Special" and "General" laws.

8. Examine the following section and give a reason why you think each of the nine enumerations are prohibited:

SECTION 31. The Legislature is prohibited from enacting any special or private laws in the following cases: 1st. For changing the name of persons or constituting one person the heir-at-law of another. 2d. For laying out, opening or altering highways,

except in cases of State roads extending in to more than one county, and military roads, to aid in the construction of which lands may be granted by Congress. 3d. For authorizing persons to keep ferries across streams, at points wholly within this state. 4th. For authorizing the sale or mortgage of real or personal property of minors or others under disability. 5th. For locating or changing any county seat. 6th. For assessment or collection of taxes or for extending the time for collection thereof. 7th. For granting corporate powers or privileges, except to cities. 8th. For authorizing the apportionment of any part of the school fund. 9th. For incorporating any city, town or village, or to amend the charter thereof.

9. Is it a wise or unwise law that prohibits members of the Legislature from receiving passes from the railroads?

10. Read Article XIII, Section 11. Give your views on this prohibition.

11. Review your knowledge of the method by which a bill is passed in the United States Congress — the method is essentially the same in the State Legislature.

12. Read Article XII of the State Constitution and then tell the difference in the methods of amending the United States and State Constitutions.

II The Executive Power

The Governor and Lieutenant-Governor bear the same relation to the State that the President and Vice-President do to the United States. Their term of office is two years, and their salary \$5000 and \$1000 respectively. The executive power is supplemented by the officers of the State who are known as the

ADMINISTRATIVE OFFICERS

They are:

1. The Secretary of State, who has charge of all the official records of the State.
2. The State Treasurer, who has charge of all the moneys of the State and pays them out on the proper warrant.
3. The Attorney-General, who is the legal representative of the State.
4. The Superintendent of Public Instruction, who directs and supervises the educational work of the State.
5. The four officers just given are mentioned in the Constitution, and in addition to these there is elected a Commissioner of Insurance.

BOARDS

Nothing shows the growth of the State more clearly than the large number of Boards and Commissioners that are appointed by the Governor.

1. The Commissioner of Labor and Industrial Statistics directs the inspection of factories and free employment bureaus in the larger cities.

2. The Commissioners of Railroads deal with the many problems growing out of the railway organization in the State—fares, rates, accidents, and safety appliances.

3. The State Banking Commissioner.

4. The Dairy and Food Commissioner, who inspects general food products and cheese factories and creameries.

5. The Superintendent of Public Property, who has general charge of the Capitol building.

6. The Tax Commissioners, who investigate the matters relative to taxation and seek to make just and uniform the taxes of the State. The powers of this Commission are great, and their duties important, particularly in the assessment of the general property of the State, and the properties of telegraph companies, railroads, and electric lines.

7. The Commissioners of Fisheries.

8. The Boards of Agriculture and Forestry.

9. The State Board of Health.

10. The Commissioners of the Civil Service, who have charge of all examinations for various State positions—teachers, engineers, physicians, clerks, laborers, game wardens, and employees in general.

The purpose of the State Civil Service law like that of the United States law is to increase the efficiency of the public service, and to take office out of partisan politics.

11. Then there are many Boards of Examiners for the occupations and professions — medical, barbers and dental.

In fact, there is hardly an interest that can be thought of, that has not some Board, or Commission, through which it is intended to safeguard the interests of the people.

QUESTIONS ON THE EXECUTIVE POWER

1. Preliminary to these questions the student should read Articles V and VI of the State Constitution.

2. Give three important duties of the Governor, and compare these powers with the like powers of the President.

3. Name the administrative officers of the State and compare their duties, so far as possible, with the duties of like officers of the Cabinet.

4. Compare the manner in which the Governor is impeached, with that in which the President is impeached.

5. Give in general the manner of passing a bill in the Legislature.

6. What specific duties has the Governor that require each of the following characteristics: courage, honesty, intelligence, and a knowledge of men?

7. What official relations has the governor that require general scientific knowledge, technical knowledge, general scholarship.

8. What causes have compelled the increase in the number of Boards and Commissions?

9. Why should there be an insurance department? What two kinds of life insurance policies are there?

10. Why should States be obliged to have insurance commissioners?

11. What are the duties of game wardens?

12. What improvements in the railway service have you ever noticed?

13. What is the necessity for railroad commissioners?

14. Tell about something in or about the railway service that you think contrary to public health or well being. What can be done toward changing it?

15. Why should there be need of factory, creamery, and cheese inspectors?

16. There is an oil inspector — why should he be necessary?

17. What Board or Commission looks after the matter of Child Labor?

18. What is a Free Employment Agency — where are they located, and why?

19. Name two or three of the most important Wisconsin fishes. Why should they be preserved, and how is it done?

20. The United States has a Conservation Commission, and so has Wisconsin. What is the need of these commissioners?

21. What products of Wisconsin when used are wholly destroyed; what partially destroyed; what may be remade, as it were, and used over again?

22. Why should a physician have to pass an examination, while a real estate man does not?

23. Why should barbers and engineers be obliged to pass examinations?

24. Go to a grocery store and examine some packages of prepared food; do you see any indication of a pure food law?

25. Which of all the relations of the executive power do you know something about personally? Which of all the things studied do you think the most important for the young citizen to understand?

26. Do you think the creation of so many Boards and Commissions make the people less interested, or more interested in their own welfare?

III The Judicial Power

Beginning with the lower courts the judicial system of Wisconsin consists of:

1. The Justices' Courts in the various towns and cities, and in the police courts. These courts have original jurisdiction in the minor civil and criminal offences.

2. Next higher are the Circuit Courts, of which there are nineteen. These courts have appellate jurisdiction from the lower courts and original jurisdiction in the more important civil and criminal cases.

3. The highest court in the State is the Supreme Court, consisting of seven judges, who hold office for ten years. The jurisdiction of the Supreme Court is almost entirely appellate.

4. In addition to these courts mentioned, there are courts which are organized to meet the special needs of the various parts and interests of the State.

a. County courts are organized in the various counties, the jurisdiction of which, while including both civil and criminal cases, is confined largely to probate matters — that is, to cases involving the settlement of the estates of deceased persons.

b. Municipal courts, about forty in number, are

organized in the larger cities, and have a jurisdiction similar to that of the Circuit Courts.

c. In some of the cities, juvenile courts are established for the special benefit of boys and girls under age. It often happens that a child who has committed a crime can be helped in some way other than by being sent to jail, or the reformatory. In these courts the child is separated from older criminals, and this also is a help toward his reformation.

JURIES

In Wisconsin, the County Boards select a list of seventy-five names of persons to act as Grand Jurors, and from this list the clerk of the court draws by lot a list of seventeen names.

For *petit* jurors the Jury Commissioner, appointed by the Circuit Judge, makes a list, from which thirty-six names are drawn. From these all the juries of that term of court are selected. Persons whose business is of such a nature as will not allow them to be absent from it, are exempted from serving on a jury: lawyers, telegraph operators, teachers, railroad employees, etc.

QUESTIONS ON THE JUDICIAL POWER

1. What is a subpoena, a warrant of arrest, a search warrant?
2. Before what court would the following cases first come: drunkenness, stealing from the mail, forging a \$1000 check, selling liquor to Indians?
3. Suppose you thought a street car company was digging

illegally on your land, what is the name of the writ you would apply for to stop them?

4. Suppose a man thought someone was holding possession of his child illegally, what writ would he apply for?

5. Why is a Probate Court of great importance in a community?

6. What is the difference between a civil case and a criminal case?

7. When are cases "taken up" to higher courts?

8. Some people desire to act on juries, and some do not; give a reason that might influence in each case.

9. In criminal cases the jury must "agree"; is this a wise, or unwise provision?

10. Fill in the blanks to complete this legal maxim: "Every person accused of an offence is assumed _____ unless he is _____."

11. State an imaginary case when a Grand Jury would be summoned.

12. In what territory do the following courts have jurisdiction: Justices' Court, Police Court, Circuit Court, Supreme Court.

13. Read Article VII of the State Constitution, and tell:

a. What is the number of Supreme Court Justices, and their term of service.

b. How vacancies are filled in the Supreme Court, and how a Judge may be removed?

14. Why should circuit judges be elected for six years, Supreme Judges for ten, and other state officers for two only?

15. What objection would there be to electing all Supreme and Circuit Judges for life, or good behavior?

16. The Judicial Election is not at the time of the general election — is this a wise provision?

17. What is the difference between the work of a Grand Jury, and a *petit* Jury?

29

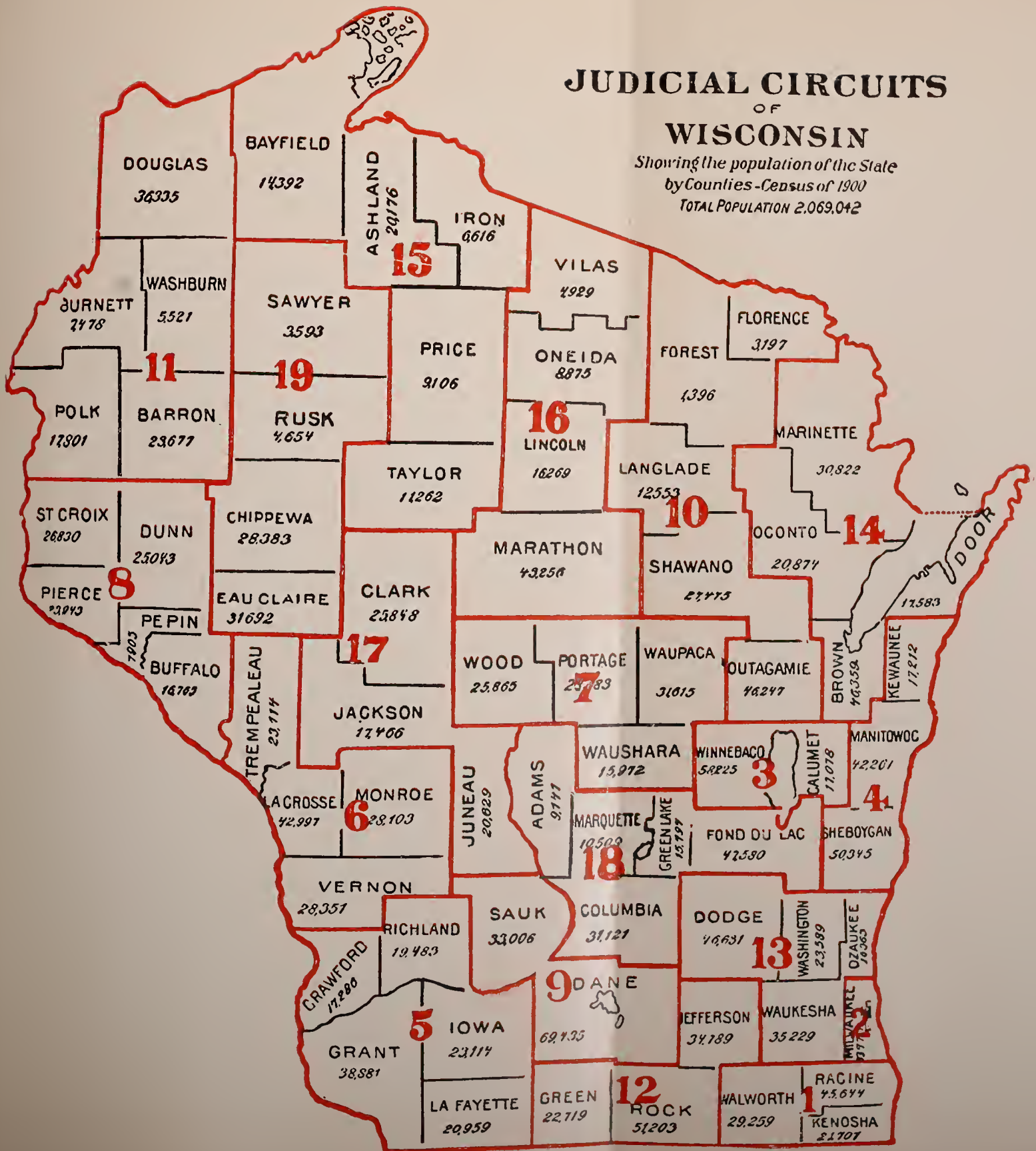
PO 1
1780

ST CR
26,830

PIER
2284



Showing the population of the State
by Counties - Census of 1900
TOTAL POPULATION 2,069,042



IV Elections

To vote at general elections, requires that the voter must have registered, and must either be a citizen of the United States, or have declared his intention to become such. And he further must have resided in the State one year previous, and in the precinct in which he votes, ten days. The following are excluded from suffrage: those who bet on the election, those who are insane, or who have been guilty of felony.

PRIMARY ELECTIONS

There have been two systems of nominations and elections — one called the caucus-convention system, and the other the primary system.

Under the caucus plan, the people met in their voting precincts, nominated the local officers and elected delegates to the county conventions. At the county conventions the delegates nominated the county officers, and elected delegates to the State conventions. At the State conventions, State officers were nominated, the platform was prepared, and delegates to the National Nominating Conventions were chosen.

Under the primary system the following is essen-

tially the plan, which ends in the nomination of the state officers and the formulating of the platform:

1. The candidates for the various offices circulate their nomination papers wherever they can get signers. The papers must circulate, each in one voting district, except that for State officers or United States Representative, the district may be the county. Someone must swear to the personal authenticity of the names.

For a State office the candidate must have at least one per cent of the voters of the State, and one per cent in each of six counties.

2. The nominating papers are then sent to the Secretary of State and he issues to all the voting precincts the "official Primary Ballot."

3. On the first Tuesday in September, the voters of each party are given the ballot of the party with which they are identified, and they then vote for their choice of State, Congressional, Legislative, and County officers. These ballots are certified to the Secretary of State, and the Republican receiving the highest number of votes becomes the nominee on the Republican ticket, and likewise with the nominees of the Democratic, and other parties.

4. On the Official Primary Ballot the voters in the various precincts write the names of one qualified voter who is known as the "Party Committeeman."

These Committeemen from the various precincts constitute the Party Committee. When several Counties form a Congressional district, the Congressional Committee is composed of two members from each Assembly district in the County.

5. The County Committee in each County now elect two members for each Assembly and Senatorial district, and their names are certified to the chairman of the State Central Committee, who must then call together and organize these Assembly and Senatorial Committees.

6. Now the various nominees for State offices, and the Senate and Assembly, together with the State Senators who hold over into the next year, meet at the Capital on the fourth Tuesday of September, and formulate the Party platform which must be made public by six o'clock P. M., of the following day.

7. The nominees just enumerated also elect by ballot two members and a chairman from each Congressional district in the State, who constitute the "State Central Committee" of each Party.

8. In the "presidential years" the nominees previously mentioned elect one presidential "elector" from each Congressional district, and two at large from the State.

9. Nominees to the National Nominating convention are elected at the April election, four from the State at large, and two from each Congressional district.

Doubtless to the student the primary system will seem complicated, yet each part fits into all the others, forming a plan of election and nomination that may be said to be nearly perfect.

What has been given, applies to general elections, and there are some minor changes in the law that apply to cities, and to the election of judges and the

State Superintendent. Under the caucus system it was claimed that the "boss," or bosses, controlled everything from the caucus up, and that the people had little choice except through representatives of whom they knew little. Under the Primary law, the people both nominate and elect their officers and committeemen, the only appointing power being in the hands of committeemen who appoint those who conduct the campaign, and hold no other office or nomination. The work of the Committeemen is to lay out the campaign work in City, County, and State — engaging speakers and circulating literature. The objections to the Primary law are chiefly that it often divides a party in the struggle for nomination, and that the contest for the nomination is really an election so far as the expense is concerned. But these objections weigh little against the many good points of the law, and the Primary law will doubtless become an almost ideal law for the State.

This is the ballot used in voting for the nominee of the party.

OFFICIAL PRIMARY BALLOT

GENERAL ELECTION

..... *Party*

To vote for a person whose name is printed on the ballot, mark a cross X in the square at the RIGHT of the name of the person for whom you desire to vote.

To vote for a person whose name is not printed on the ballot, write his name in the blank space provided for that purpose.

STATE	Vote for one	COUNTY	Vote for one
Governor		County Clerk	
JOHN DOE		JOHN DOE	
JOHN DOE		JOHN DOE	
JOHN DOE		JOHN DOE	
JOHN DOE			
Now follow the State Officers		Now follow the other County Officers	
Lieutenant Governor		Treasurer, Sheriff, Coroner	
Secretary of State		Clerk of the Circuit Court	
State Treasurer		District-Attorney	
Attorney General		Register of Deeds, and	
Commissioner of Insurance		Surveyor	
CONGRESSIONAL		PARTY COMMITTEE- MEN	
Representative in Congress			
Legislative		The spacing is the same for all officers as for Gov- ernor and County Clerk.	
State Senator			
Member Assembly			

This ballot when printed is about 6 x 18 inches.

QUESTIONS AND EXERCISES ON ELECTIONS

1. Read Article III of the State Constitution.
2. Give the general qualifications for voting in Wisconsin.
3. For what offences are people denied the right of suffrage?
4. Women may vote on educational matters in the town or city and for Superintendent of Public Instruction—is it justice to exclude them from the general elections?
5. Justify each of the following election laws:
 - a.* No one must sign more than one nomination paper.
 - b.* Signers of a nomination paper must reside in the same ward, town, or village.
 - c.* All voters must register.
 - d.* No candidate can have his name in the primary printed on two tickets.
 - e.* There can be no electioneering near the Polls.
 - f.* Saloons must close on election day.
6. Why should a person when marking his ballot, have to do it in a booth by himself?
7. What is the chief difference between the caucus and primary system?
8. What is meant by “challenging” a voter?
9. Why should the elections of judges and State superintendents be “non-partisan”?
10. Would it be better to have all elections non-partisan?
11. Why are judges and State superintendent not elected at the general election?

V Finance and Taxation

If the student will recall how the United States collects its revenue, he will remember that the "Indirect" method was adopted, and the taxes were duties and internal revenues.

In the State of Wisconsin it is property that pays the tax, and the taxes are called Direct taxes.

Each of us lives in, and is a part of:

1. The State; 2. The County; 3. The town; or an incorporated city or village. The great questions then are — how much money does each of these units spend, and for what purpose; and then, who is it that pays it all?

I

1. The State spends millions of dollars each year to pay its officers, take care of its property, and support the various institutions under its control — prisons, asylums, reformatories, and schools.

In 1908, the total disbursements of the State were nearly \$8,000,000 of which the following are some of the items:

Charitable and Penal Institutions, \$1,266,000; Common School Fund, \$1,575,000; Legislative Expenses, \$114,000; Free High Schools and Graded Schools, \$194,000; Expenses of State Departments and Commissions, \$1,750,000.

2. The Legislature determines how much money shall be raised for State purposes each year, and this amount is then divided up among the Counties in proportion to their wealth.

The total assessed value of the property of the State is about \$2,500,000,000. Winnebago County is assessed at about \$60,000,000. So Winnebago County would be required to pay $\frac{60,000,000}{2,500,000,000}$ of the tax voted by the Legislature.

3. But the County has expenses of its own — it must pay its officers and support its institutions, and this tax is added to the tax that comes down from the State.

4. Now in this case, Winnebago County will pay for State and County taxes about \$350,000, and this amount is divided up to be paid by the various towns and incorporated cities.

5. But the towns and incorporated cities have expenses peculiarly their own, and so there must be added to the State and County tax, the local town or city tax.

6. But cities are divided into wards, and so the residents of the different wards must pay their share of some special sewer or paving tax.

Sometimes the paving tax is shared by all the people of the ward, and sometimes by the people only whose property is on the street that is paved.

7. Now at last we have reached the man who pays all these taxes: State, County, City, Ward and Special — it is John Doe, a resident of — street, — Ward, of the City of —. Of course John Doe does not pay all the taxes, but he pays his

(If you wish to vote for the amendment, make a cross in the square after the word "Yes". If against, "No".)

"A"

OFFICIAL BALLOT.

If you desire to vote an entire party ticket for state, congressional, legislative and county offices and presidential electors, make a cross (X) or other mark in the circle (O) under the party designation at the head of the ballot. If you desire to vote for particular persons without regard to party; mark in the square at the right of the name of the candidate for whom you desire to vote if it be there, or write any name that you wish to vote for, in the proper place. If you desire to vote for state, congressional, legislative and county offices of one party and presidential electors of another party, make a cross (X) or other mark in the circle (O) at the head of the party ticket and also make a cross (X) or other mark in the square ☐ at the right of the names of the candidates for president and vice-president, you desire to vote for.

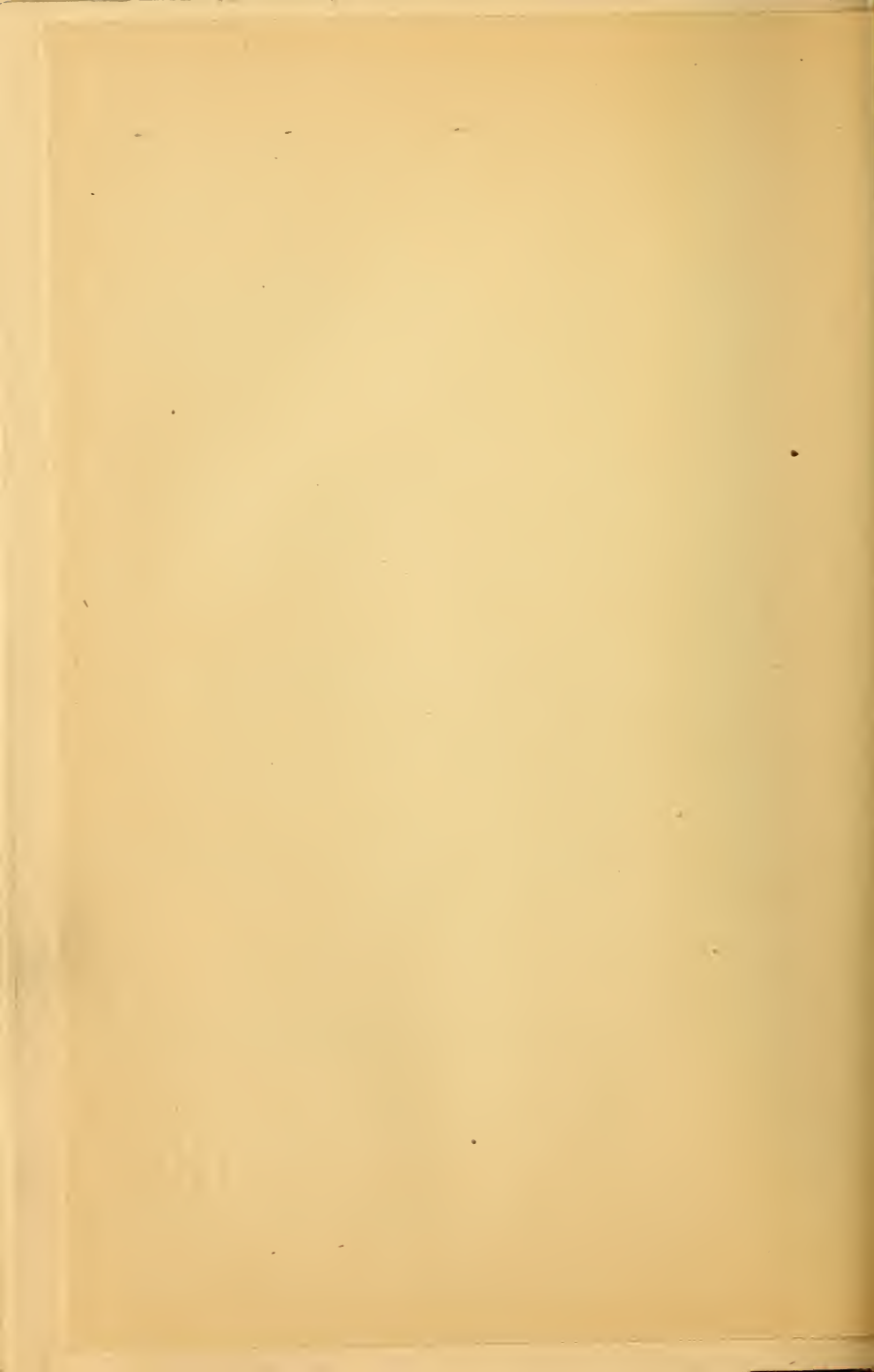
Democrat	Prohibition	Republican	Social Democrat	Social Labor	Independent
○	○	○	○	○	○
For Governor— JOHN JONES ☐	For Governor— PETER BLACK ☐	For Governor— JOHN ADAMS ☐	For Governor— JOHN ALLEN ☐		
Lieutenant Governor— PETER LONG ☐	Lieutenant Governor— JOHN WHITE ☐	Lieutenant Governor— DAVID ALDEN ☐	Lieutenant Governor— DLAS PLATT ☐		
Secretary of State— RICHARD ROE ☐	Secretary of State— CHARLES KING ☐	Secretary of State— ANORRW FOSTER ☐	Secretary of State— DLAF HARKER ☐		
State Treasurer— GEORGE DOODGE ☐	State Treasurer— NICHOLAS TARK ☐	State Treasurer— LOUIS CLARK ☐	State Treasurer— WILLIAM STONE ☐		
Attorney General— JOHN DOE ☐	Attorney General— WILLIAM H. GREEN ☐	Attorney General— DAVIS ALDEN ☐	Attorney General— CHRIST. H. STONE ☐		
Commissioner of Insurance— JOHN D. LONG ☐	Commissioner of Insurance— CHARLES W. BRIDEN ☐	Commissioner of Insurance— NICHOLAS MURRAY ☐	Commissioner of Insurance— CONLIN N. STONE ☐		
Member of Congress, ..Dist.— CARL D. JONES ☐	Member of Congress, ..Dist.— GEORGE W. SCOTT ☐	Member of Congress, ..Dist.— WILLIAM BUTLER ☐	Member of Congress, ..Dist.— WARNER D. MANN ☐		
State Senator— TIMOTHY I. IDLE ☐	State Senator— CHARLES KING ☐	State Senator— CARL D. FOSTER ☐	State Senator— DEERT C. PLATT ☐	State Senator— JASTRO R. SANKOOT ☐	State Senator— BARTLET S. CLAWFORD ☐
Member of Assembly, ..Dist.— IRVING N. JORDAN ☐	Member of Assembly, ..Dist.— PETER TAFT ☐	Member of Assembly, ..Dist.— LOUIS P. JORDAN ☐	Member of Assembly, ..Dist.— LOUIS BAKER ☐		
County Clerk— PAUL H. SMITH ☐	County Clerk— WILLIAM DEWEY ☐	County Clerk— WALTER B. CLARK ☐	County Clerk— DLAF H. HARKER ☐	County Clerk— PAUL JONES ☐	
County Treasurer— PETER LONG ☐	County Treasurer— DANIEL DAMPSON ☐	County Treasurer— TIM. H. JOHNSON ☐	County Treasurer— JACK Q. ADAMS ☐		
Sheriff— DANIEL GREEN ☐	Sheriff— CHARLES LINCOLN ☐	Sheriff— OBE W. WHITE ☐	Sheriff— JOHN KENNEDY ☐	Sheriff— FRANK JONES ☐	
Coroner— FRANK A. BLACK ☐	Coroner— WARD WASHINGTON ☐	Coroner— WALTER K. MILLER ☐	Coroner— WILLIAM QUINCY ☐		
Clerk of Circuit Court— DON N. BRIDEN ☐	Clerk of Circuit Court— ALBERT A. JOHNSON ☐	Clerk of Circuit Court— PETER H. PECK ☐	Clerk of Circuit Court— CHARLES G. DEWEY ☐		
District Attorney— JOHN N. DOE ☐	District Attorney— JOHN W. FULLER ☐	District Attorney— WENDELL M. WILLIAMS ☐	District Attorney— ORAL H. SWADBLE ☐		
Register of Deeds— ROY E. ROE ☐	Register of Deeds— WILLIAM R. WHITTIER ☐	Register of Deeds— RICHARD W. JONES ☐	Register of Deeds— JACOB H. MILLER ☐		
Surveyor— CHARLES N. SNOW ☐	Surveyor— STEPHEN JAMES ☐	Surveyor— OLE M. LARS ☐	Surveyor— JOHN F. BATELL ☐		
For President— ALTON B. PARKER ☐	For President— SILAS C. SWALLOW ☐	For President— THEODORE ROOSEVELT ☐	For President— EUDENE V. DEBS ☐	For President— WILLIAM JONES ☐	For President— ☐
For Vice-President— HENRY D. DAVIS ☐	For Vice-President— G. W. CARROL ☐	For Vice-President— C. W. FAIRBANKER ☐	For Vice-President— JEN. HANFORD ☐	For Vice-President— HENRY SMITH ☐	For Vice-President— ☐
Democrat	Prohibition	Republican	Social Democrat	Social Labor	Independent
Electors of President and Vice-President.	Electors of President and Vice-President.	Electors of President and Vice-President.	Electors of President and Vice-President.	Electors of President and Vice-President.	Electors of President and Vice-President.
RICHARD ROE	JOHN WHITE	CHARLES BLACK	PETER BRIDEN	JACK NADEL	
PAUL J. SMITH	WARREN HALL	WILL PECK	FRANK H. PLATT	ROBERT BOYO	
CARL N. HALL	CHARLES H. FULLER	HANK KENNEDY	CLIFFORD M. BRADFORD	JAMES THOMAS	
HARRY WEST	WILFRED SNOW	EDLEY JOHNSON	FRANKLIN K. BAKER	SIMON DILSON	
JOHN BRIDEN	JENE WILLIAMS	PETER O. CLARK	DLAF H. HEARST	IVER MOORE	
HANS FORBES	HADLEY DOE	PAUL MADISON	JEROME K. JEROME	SAM HUNT	
ALBERT F. HOOD	CLINTON WASH	FRANKLIN A. WILLIAMS	ANDREW THORNE	REINSCHE K. RICHARDSON	
HART WOODS	PETER SCOTT	GRADY MCKAY	W. T. THOMPSON	PHILLIPS S. PALANSCH	
FRITZ N. MARTIN	HENLEY WINFIELD	HATTEN P. HARPER	JOHN ANDERSON	OTTO T. JACKSON	
FRED L. TUCKER	RAY LONG	HEINZ S. JACKSON	DANIEL WEBSTER	KARL SMIDT	
J. H. SUMNER	GRASSIE ANDREWS	DON DOE	HOLT L. LEWIS	EVEN EVERSON	
RALPH D. COOK	POTTER H. JONES	FABER K. JOHNSON	CHRIS. HERBERT	JOHN ZEIGLE	
STEVEN N. WALL	CAVIL BUTLER	LEWIS ADAMS	CLAUSEN L. GREEN	ANDREW K. BEECH	

Shall amendment to Art....., Sec....., of the Constitution be Adopted?

YES ☐

NO ☐

(If you wish to vote for the amendment, make a cross in the square after the word "Yes," if against it, make a cross after the word "No.")



share of them, and we will now find out how much his share is.

II

1. Beginning in May, certain people, called Assessors, go their rounds in the various towns of the County, and wards of the City, and assess each man's property. Each person is supposed to give under oath the true value and amount of his real and personal property when asked by the Assessor. By the last of June all the property of the town will have been assessed, and during the last week of June, if anyone has been wrongfully assessed, he may appear before a Board, called the Board of Review, and present his case.

This Board also carefully examines the assessments in all the Wards, or Towns, and corrects errors or injustices which they know to be such.

2. The County clerk is now in possession of the assessed value of his County, and this assessment is presented to the County Board of Supervisors for their action.

This Board carefully examines the assessments in the various Towns and Cities, and if they think the assessment in any Town is too high, they lower it; or if too low, they raise it.

In 1908, the assessment of Winnebago County as reported by the Assessors was about \$45,000,000; as equalized by the County Board it was put at about \$54,000,000.

3. The Secretary of State and the Tax Commission, are now in possession of the assessed value

of the whole State as given by the assessors and equalized by the various County Boards.

The powers of the Tax Commission are very many and important. In general it may be said, they have to do with nearly every problem relating to taxation. Among other things they equalize the assessments among the various Counties, and under the influence of the Commission, assessors are finding more and more property to be taxed, and are enforcing the laws with greater strictness.

In 1907, the Assessors gave the value of all property in the State at about \$1,600,000,000; but the Tax Commission raised it to about \$2,300,000,000.

4. Now the value of all the property in the Counties being known, it is an easy matter to determine the part of the State tax each must pay. To the state tax is now added the county tax, and to these two the city tax, and to the three is added ward and special taxes, all of which are paid by taxpayers in proportion to their property. And so the message is handed down: the Secretary of State informs the County clerk; the County clerk informs the Town and City clerks, and they inform the Town and City Treasurers, and so at last John Doe a resident of — Street, — Ward; in the City of —, goes to the City Treasurer and pays all his taxes in one amount, and happy is he, if he can feel that the tax is just.

QUESTIONS AND EXERCISES ON TAXATION

1. From what does the United States derive its taxes?
2. Explain how Wisconsin in general derives its taxes.
3. What is the difference between a direct and indirect tax?
4. Peter Row is a farmer living in the town of Vinland, Winnebago County.
 - a. Tell the different taxes he pays.
 - b. About what would you estimate his property to be if he pays \$200 tax?
5. John Jones lives in the eleventh ward of the city of Oshkosh. He pays about \$186 tax. Arrange in the order of their amounts the portion of this tax that goes to the State, County, City, Ward, and special taxes.
6. What is the duty of the local board of reviews? Why is such a board necessary?
7. Answer the same as in (6) of the County, and State Boards of Review.
8. The rate of taxation in Oshkosh, in 1910, was \$2.40 per hundred. Explain how that rate was determined.
9. Explain why it is that Counties have different rates, and also that different towns or cities of the same County have different rates.
10. Railroads are taxed in this way: The total taxes of the State are divided by the total property of the State. Then the assessed value of the railroad is multiplied by this rate, or quotient. Is this just?
11. In 1908, the assessed value of railroad property in the State was \$267,861,500, the total State value was \$2,291,638,529, and the aggregate taxes in the State was \$26,382,190.08. Determine the rate, and the amount paid by railroads.
12. All the railroad tax goes to the State, but the tax of electric lines goes, 15 per cent to the State, and 85 per cent to the various municipalities through which the line passes. Does this seem just?
13. The assessors exempt some things from taxation — Justify the exemption:

- a.* Wearing apparel and books to value of \$200.
- b.* \$200 worth of other personal property.
- c.* Wide-tired wagons.
- d.* A mechanic's tools.
- e.* Cemeteries.
- f.* Churches.
- g.* A bicycle, sewing machine, and watch.

14. Which of the following kinds of property would easiest escape assessment:

- a.* Money and credits.
- b.* Personal property, such as jewels and pictures.
- c.* Real estate.

15. Which of the following items will likely be assessed nearest its full value:

- a.* Farm property, real estate.
- b.* Merchants stock.
- c.* City lots.
- d.* Horses and cattle.

16. Why are town and city treasurers allowed from 2 to 5 per cent for collecting "delinquent taxes"?

16. What do the following signify:

- a.* In 1907, the moneys and credits assessed in Ashland County, was only \$7000; in Wood County, only \$6000, and in Douglass County, only \$2500.
- b.* In 1907, the assessors in Racine County gave the value on watches, pianos, organs, and bicycles, at about \$36,000; in 1908, the State assessment was \$241,000.

17. In 1908, Winnebago raised in total taxes about \$557,000, of which about \$20,000 went to support the poor. What per cent of all the taxes went to the poor?

18. The tax commissioners say that about 7 per cent of the tax one pays is State tax, and the rest is County and local tax; can you find in this a reason why the young citizens should understand local affairs?

VI Local Government

THE TOWN

The town is the nearest to a pure democracy of any of our Legislative units. It is at the Town meeting held on the first Tuesday in April that the people meet to elect their officers.

1. The Legislative power is vested in the Town Meeting itself.

The Executive power is vested in constables.

The Judicial power is vested in the Justices of the Peace.

2. In addition to the Constables and Justices of the Peace each town elects:

a. Three supervisors, one of whom is chairman of the Town Board of Supervisors.

The Town Board superintends the disbursement of the Town money, and has charge of all affairs of the Town not by law committed to other officers.

b. A Town Clerk, who acts as clerk of the Town Board and Town Meeting and is the custodian of all Town records.

c. A Town Treasurer.

d. Town Assessors, who make out the assessment rolls of the town.

c. An Overseer of Highways for each road district.

f. A Town Librarian.

Town officers are in general compensated by fees, or by the day.

THE COUNTY

The Counties of the State vary in size, from Kenosha County, 274 square miles, to Marathon County, 1532 square miles.

The component units of the County are the Towns and Cities.

1. The Legislative power of the County is vested in a Board of Supervisors, consisting of the Chairmen of the various Town Boards, and the Supervisors from the several Wards of the incorporated Cities in the County. The Board of Supervisors meets annually at the County seat and exercises many and important powers. Some idea of the powers of the Board may be obtained from the Committees that are appointed by the Chairman: Equalization, Finance, General Accounts, The Insane, The Poor and Poor Farm, The Workhouse, Public Buildings, Roads, and Bridges, *Per Diem* and Mileage, Bonds and Salaries, Printing, and Education.

2. The County Officers are:

a. The Sheriff, in whom is vested the Executive power of keeping peace within the County.

He appoints his under-Sheriffs and Deputies, and is compensated by salary, or salary and fees.

b. The first of the Administrative officers is the County Clerk, who has the custody of all County records, is the Clerk of the County Board, and in all financial and election matters is the intermediary between the Towns and Cities, and the State; and the State, and Towns and Cities.

c. The County Treasurer is the custodian of the money of the County, and pays it out on the proper warrant.

d. The Coroner is the officer who holds an inquest on the bodies of those who have been killed by accident, or in whose death there is suspicion of foul or illegal means. He may call a "Coroner's Jury" who view the body and render a verdict.

e. The County Surveyor surveys the lands of the County as he is called upon by the County or by individuals.

f. The Register of Deeds keeps a list of births and deaths, and preserves a record of all sales or transfers of property. In Counties of 60,000 or over, the County Board may appoint an Abstractor whose duty shall be to make out an authenticated abstract of property bought. This duty is now done by lawyers, or other qualified persons, but the tendency is to put everything concerning the possession of property under legal supervision and guarantees.

g. The District Attorney is the legal adviser of the County Board and County Officers. He prosecutes in the proper court, all offenders of the law, and represents the State or County in all the suits in Circuit Court.

h. The judicial power of the County is partially represented in the County Court, which, as has been explained, is largely a Court of Probate. The further judicial work of the County is, in weightier matters, represented by the Circuit Courts, and in smaller matters by the Justices and Municipal Courts.

i. The Educational Officer of the County is the County Superintendent; he is elected at the Spring election in April, holds office for two years, and receives a salary fixed by the Board of Supervisors.

CITIES

The Cities of the State are divided into four classes based on population. Milwaukee is the only City of the first class. Sometimes special charters are granted to Cities, under which they exercise their power and duties.

The problem of government in Milwaukee is, of course, more complex than in fourth-class Cities — or those having less than 10,000 population — but aside from various local provisions, they have the following general organization:

1. The Legislative power is vested in the Common Council consisting usually of two aldermen from each of the Wards.

The Common Council has its Committees, and bears the same relation to the City, as the County Board to the County. But the Common Council has several Committees which the County Board does

not have; such as relate to the fire department, streets, sewers, parks, and the police.

2. The Executive power is vested in a Mayor, who like the other City officers, is elected for two years. The Mayor bears the same relation to the enforcement of City laws as the President does to the United States, or the Governor to the State.

3. The Judicial power of the City is usually vested in Justices' Courts, and in Municipal Courts.

VILLAGES

The organization of a village is very much like that of a city.

For the Mayor, there is a village President. Instead of a Council, there is a village Board of Trustees.

In the other officers — Supervisor, Clerk, and Treasurer, Justice of the Peace, and Constables — the village resembles a Town, and the duties of the above-named officers are analagous to the duties of the corresponding officers in the Town. To become a village, the territory must be at least half a mile square, and contain at least three hundred population. With a population of 1500 or more a village may become a city.

QUESTIONS ON LOCAL GOVERNMENT

1. Define "local government."
2. What is the difference between a "town" and township — which is the political, and which is the geographical unit?
3. In whom or what, is the Legislative power of the town vested? Of the county?
4. Compare the Legislative power of the town and county, and tell how they differ.
5. Tell one thing the Town Meeting can do.
6. How is the Town Board of Supervisors constituted, and what is one of its duties?
7. What particular duty has the Chairman of the Town Board?
8. What is a duty of the Town Clerk?
9. What office of the County corresponds to that of clerk in the Town? Of the City?
10. Why is the office of Town Assessor an important one?
11. Why are good roads an important element in the town?
12. Under what authority are roads established?
13. What are noxious weeds, and what officer is supposed to see that they are destroyed?
14. To what purpose are poll taxes put?
15. What is meant by "working out" one's poll tax?
16. Define a "fee," "*per diem*."
17. How large is your own town? Is it bounded by township lines?
18. When will a town include more than one township?
19. Give two definitions of "town."
20. Compare the size of the largest county in Wisconsin with the smallest State in the United States.
21. What are the component units in the government of the county? By whom are these units represented?
22. Give a reason why the County Board of Supervisors is an important one.
23. Give a power of the Board in regard to equalization of taxes; care of the poor and insane; criminals; education.
24. What is the distinction between an executive officer and an administrative officer?

25. Name the county officers, and give one duty of each.
26. Suppose you were to buy a farm, where would you go to look up the title?
27. What office has recently been created in the larger counties to assist people in securing a legal title to their property?
28. To what officer would you go to find out: when delinquent tax property was to be sold; the number of deaths in the county for the last year; the cost of a hunting license?
29. Under what circumstances might you employ the county surveyor?
30. What is the chief duty of the District Attorney?
31. Compare the chief Board of the County with the Common Council of a city — how are they alike; how different?
32. Name the Governor of your State. Your Town Clerk. Your School Director.
33. So far as you have studied, what part of civil government seems most important to you, and closest related to your every day life?
34. Give two local officers who receive a salary; two who receive fees.
35. Suppose a child of school age refuses to attend school, what is done?
36. What, if any, is the difference between a constable, sheriff, policeman, and marshal?
37. What kind of cases would go to a Justice's Court; what to a County Court; what to a Municipal Court; and what to a Circuit Court?
38. Name and bound your Town or City.
39. Name and bound your County.
40. Give a reason why your County seat is where it is.
41. In what part of your County are the best roads? Who keeps these roads in condition?
42. If there is a Town Hall in your Town, who built it, and who cares for it?
43. Name all the public buildings in your County which you have seen. Under whose authority was each built?
44. Do you know of any way in which you can help

in administering the laws of the United States; the State; the County; the Town; the City; the Village; or the School District?

45. Cities of the third class have from 10,000 to 40,000 population — name three cities of that class.

46. Are there any cities in class two — from 40,000 to 150,000?

47. In Oshkosh, a city of class three under a special charter, the following are some of the officers; state a duty of each: President of the Council, Comptroller, City Attorney, Chief of Police, Health Officer, City Physician, City Engineer, Constable, Assessors.

48. Review the governmental units you have studied under the heads of Legislative, Executive and Judicial power, and tell in whom each is vested: the United States, State, City, County, Village, and Town?

VII Education

Lying at the foundation of Wisconsin's educational systems are the District Schools, which derive their support from three sources:

1. The State raises by tax upon the property nearly \$1,800,000, which is apportioned by the State Superintendent among the districts of the State in proportion to the number of children between the ages of four and twenty. This money comes to the district as "school money" provided an equal amount is raised by local taxation.

2. This is done by the County Board of Supervisors, who levy back upon the districts an amount received by them from the school fund.

This insures a double support to the school.

3. But the "school money," and the County levy is usually not sufficient to run the school for the eight months required. So the extra amount is voted at the School District Meeting, the first Monday in July.

1. The officers of the school district are the Clerk, Director, and Treasurer. who together constitute the District Board. They hire the teacher, regulate the course of study and have the general care of the schoolhouse.

2. At the school meeting, in which both men and women vote, the general educational affairs of the district are discussed; the necessary taxes are voted; time of beginning school is determined; the question of free text books is voted on, and it is decided whether a male or female teacher is to be hired.

3. While all district schools that have an eight months' term, and are suitably furnished, share in the "school money," those schools that have in addition to the ordinary furnishings, sets of supplementary readers, and a proper system of ventilation, are put in the first class, and receive fifty dollars annually from the State.

4. Under the Wisconsin law all children between the ages of seven and fourteen years must attend school at least five months each year, unless excused for cause.

CITY SCHOOLS

In the Cities, the schools are organized from the kindergarten to the high schools. These schools are supported largely by a tax levied by the Common Council, and are under the government of a Board of Education, consisting of Commissioners from the various wards. "Free High Schools," so-called, are those whose course of study is determined by the State Superintendent, and are under the inspection of the Department. Each such school receives a share of \$100,000 appropriated to them by the State.

THE STATE UNIVERSITY

This great school, composed of many colleges: agriculture, engineering, law, and arts and sciences, admits high school graduates from approved schools, and others qualified to enter. If a child enters school at six, he would finish the high school in twelve years, and the University in four years more. Sixteen years seems a long time to attend school, but when he has finished, there are many occupations open to him, of whose existence he would hardly have known otherwise.

SPECIAL SCHOOLS

For the purpose of training teachers for their own needs many Counties have established:

1. County Training Schools for Teachers.

And to give the farmer's boy the training for his work, some of the Counties have established also:

2. County Schools of Agriculture.
3. For the training of teachers the State has established nine Normal Schools, located respectively at Platteville, Whitewater, Oshkosh, River Falls, Milwaukee, Stevens Point, Superior, La Crosse, and Eau Claire.
4. Besides these schools of the State there are many colleges, and academies, and special schools of trade and business, that afford the ambitious boy and girl many opportunities and encouragements to make the most of themselves.

THE STATE DEPARTMENT

Over all the schools of the State is the State Department of Education. The head of the Department is the State Superintendent, whose duties bring him into relation with all kinds of schools. He is assisted by various Inspectors, who inspect the Rural, State Graded Schools, the High Schools, and Schools for the Deaf.

STATE INSTITUTIONS

One of the most important Boards of the State is the Board of Control that oversees the Reformatory, Penal, and Charitable Institutions. Not only are State institutions under their immediate control, but they inspect the County Insane Asylums, Poor Houses, Police Stations, and Jails.

The two State Insane Asylums are at Oshkosh, and Mendota.

The School for the Blind is at Janesville; the School for the Deaf, at Delevan; the School for the Feeble-Minded at Chippewa Falls, and the Home for Dependent Children at Sparta.

The State of Wisconsin cares for every class of its citizens, the weak as well as the strong, and when we know that in all these schools and homes, everything is neat, cheerful, and sanitary we realize how each of us is related to all the rest.

Persons convicted of minor offences are confined in jails or workhouses; but for the graver offences, criminals are sent to the State Prison at Waupun.

The Industrial School for Boys at Waukesha takes boys who have committed offences, or whose surroundings are immoral, and gives them a right start in life.

For first offenders between sixteen and thirty years of age the State Reformatory has been established at Green Bay. As a protection for girls, a school on the same plan as the Industrial School at Waukesha has been established at Milwaukee.

The purpose of these schools is not only to punish for offences, but to take children away from the temptations to immorality and crime. Another example of Wisconsin's just generosity is the Veteran's Home at Waupaca.

This institution, which receives indigent veterans and their wives, is supported jointly by the State and United States Governments. There are about seven hundred members, men and women, and the expense of maintenance is about \$110,000 per annum.

When the State needed men to protect her interests, these soldiers responded, often at a great sacrifice, and it is right and just that they, in their age and infirmity, should feel the State's generous care.

The student has now finished the outline of the nation and the State. How wide and complex it all is, and yet taken unit by unit, how simple and understandable it all is.

It should make us all proud and thankful — proud that we are a part of it all, and thankful that we have the minds to understand our country's institutions and laws, and the conscience to make us helpful and law-abiding citizens.

QUESTIONS ON EDUCATION

1. From what sources are the district schools supported?
2. Where does "school money" come from?
3. Before a district can get its school money, what must it have done?
4. Explain how the present system of taxation gives a double support to the schools.
5. What must a district school do, or have, to entitle it to draw school money?
6. What must be done that a district may have an extra \$50 from the State?
7. Why does the law require that instruction shall be given in the English language?
8. How many hours in a school day? How many days in a school month?
9. About how many dollars did it require to run your school the last year? How much of this sum was voted as a district tax?
10. Some schools run so cheaply that they require no extra district tax, how is it possible? Is it just?
11. Tell what you can about the time, place, and purpose of the district meeting.
12. Why are women allowed to vote on school matters, in the district, and for County, and State superintendent?
13. Is it right to allow women to vote on school matters, but prohibit them from voting on other matters?
14. What are "free text-books?"
15. Is the plan of free text-books better than to have children buy their own books?
16. Give the substance of Wisconsin's Compulsory Attendance Law.
17. What is a State Graded School? Under what circumstances do they receive assistance from the State?
18. Describe the schools which a pupil would attend to become a farmer, a pharmacist, a civil engineer, a teacher.
19. What benefit comes from graduating from a high school — a college?
20. Locate the following colleges: Milwaukee-Downer,

Beloit, Lawrence, Marquette, Milton, Stout Manual and Training School, Carroll, Ripon, Northwestern, Wayland, and Northland.

21. What Board manages the State Penal and Charitable Institutions?

22. Give the location of a Charitable Institution, a Penal Institution?

23. What are the purposes of the Girls' Industrial School; the Boys' Industrial School?

24. Describe any State institution you have ever seen.

25. What and where is the Veteran's Home?

26. What is the law relative to child labor?

27. What is Wisconsin doing for the blind, the deaf, and the homeless?

28. Give the different ways in which the community and the State protects its citizens. Give your own experience if possible.

29. In all your State, of what are you the proudest—laws institutions, practices?

30. Why should the State and County Superintendents be elected in April, rather than at the general election?

32. Upon what topic in Civil Government have you read most?

32. Upon what have you done some original thinking?

GENERAL INFORMATION QUESTIONS ON WISCONSIN

These questions are selected from questions handed in by about fifty teachers, superintendents, and business men—in answer to the query: “What ought a pupil graduating from the common schools, to know about Wisconsin?”

1. Trace the boundary of the State according to the Constitution of Wisconsin, and tell what States have taken from the “original” Wisconsin, a part of her territory.

2. Name five men in different lines of activity, who have helped to make Wisconsin famous.

3. Give the rank of Wisconsin, in manufacturing, fisheries, farm products, and mining.

4. Name the five largest cities, and give the causes that have made them important.

5. Name the three greatest railroads of the State, give important branches and terminals, and tell what kinds of freight each transports.

6. Name the important rivers of the State, and tell where on each are the most valuable power sites.

7. Name the cities concerned in lake navigation and give two important lines of navigation.

8. What is a commercially “strategic” point? Where are there such in Wisconsin.

9. What relation to the people have the following: the State Board of Control, Pure Food Commissioners, Tax Commissioners?

10. What is the difference between the “Caucus” system, and the “Primary” system.

11. In what portions of the State are the following produced or manufactured: tobacco, barley, paper, iron ore, sash and doors, machinery, beer, leather, and lead ore?

12. In what institutions are the following taught or cared for: the poor, the deaf, boy malefactors?

13. How does Wisconsin rank as to colleges, normal schools, special schools?

14. What are limestone formations, and of what value are they to the State? Where are they located?

15. Upon what does the climate of Wisconsin depend?
16. Contrast the climate of Merrill and Ashland in summer, and winter.
17. What causes influence the rainfall of Wisconsin?
18. What is town government, county government?
19. Give a brief outline of Wisconsin's history.
20. Tell about the county in which you live:
 - (a) The significance of its name.
 - (b) Location and uses of important public buildings.
 - (c) Two important trade centers and the causes that have made them so.
 - (d) The physical features, rivers, railroads and boundary.
 - (e) How the cities and towns are represented in county government.
 - (f) How taxes are assessed, and for what purposes.
 - (g) Something of the progress of the county as shown from the county history.



THE CONSTITUTION OF THE UNITED STATES

We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America:

ARTICLE I

SECTION 1. All Legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

SECTION 2. 1 The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for the electors of the most numerous branch of the State legislature.

2. No person shall be a Representative who shall not have attained the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

3. Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not

exceed one for every thirty thousand, but each State shall have at least one Representative; and until such enumeration shall be made, the State of *New Hampshire* shall be entitled to choose three, *Massachusetts* eight, *Rhode Island and Providence Plantations* one, *Connecticut* five, *New York* six, *New Jersey* four, *Pennsylvania* eight, *Delaware* one, *Maryland* six, *Virginia* ten, *North Carolina* five, *South Carolina* five, and *Georgia* three.

4. When vacancies happen in the representation from any State, the executive authority thereof shall issue writs of election to fill such vacancies.

5. The House of Representatives shall choose their Speaker and other officers, and shall have the sole power of impeachment.

SECTION 3. 1. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six years; and each Senator shall have one vote.

2. Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year; and if vacancies happen by resignation, or otherwise, during the recess of the Legislature of any State, the executive thereof may make temporary appointments until the next meeting of the Legislature, which shall then fill such vacancies.

3. No person shall be a Senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen.

4. The Vice-President of the United States shall be President of the Senate, but shall have no vote, unless they be equally divided.

5. The Senate shall choose their other officers, and also a President *pro tempore*, in the absence of the Vice-President, or when he shall exercise the office of President of the United States.

6. The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the Chief Justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present.

7. Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States; but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment and punishment, according to law.

SECTION 4. 1. The times, places and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

2. Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

SECTION 5. 1. Each house shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties as each house may provide.

2. Each house may determine the rules of its proceedings, punish its members for disorderly behavior, and with the concurrence of two thirds, expel a member.

3. Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the members of either house on any question shall, at the desire of one-fifth of those present, be entered on the journal.

4. Neither house, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

SECTION 6. 1. The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the Treasury of the United States. They shall in all cases, except treason, felony and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to and returning from the same; and for any speech or debate in either house, they shall not be questioned in any other place.

2. No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States, shall be a member of either house during his continuance in office.

SECTION 7. 1. All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.

2. Every bill which shall have passed the House of Representatives and the Senate, shall, before it become a law, be presented to the President of the United States; if he approve he shall sign it, but if not he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If after such reconsideration two-thirds of that house shall agree to pass the bill, it shall be sent together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law.

3. Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be

necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

SECTION 8. 1. The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

2. To borrow money on the credit of the United States;

3. To regulate commerce with foreign nations and among the several States, and with the Indian tribes;

4. To establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States;

5. To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;

6. To provide for the punishment of counterfeiting the securities and current coin of the United States;

7. To establish post-offices and post-roads;

8. To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries;

9. To constitute tribunals inferior to the Supreme Court;

10. To define and punish piracies and felonies committed on the high seas, and offences against the law of nations;

11. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;

12. To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years;

13. To provide and maintain a navy;

14. To make rules for the government and regulation of the land and naval forces;

15. To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions;

16. To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be

employed in the service of the United States, reserving to the States respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress;

17. To exercise exclusive Legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular States and the acceptances of Congress, become the seat of the Government of the United States, and to exercise like authority over all places purchased by the consent of the Legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings; — and

18. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof.

SECTION 9. 1. The migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.

2. The privilege of the writ of *habeas corpus* shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

3. No bill of attainder or *ex post facto* law shall be passed.

4. No capitation, or other direct, tax shall be laid, unless in proportion to the census or enumeration herein before directed to be taken.

5. No tax or duty shall be laid on articles exported from any State.

6. No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another; nor shall vessels bound to, or from, one State, be obliged to enter, clear, or pay duties in another.

7. No money shall be drawn from the Treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

8. No title of nobility shall be granted by the United States; and no person holding any office of profit or trust under them, shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign State.

SECTION 10. 1. No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts, or grant any title of nobility.

2. No State shall, without the consent of Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts, laid by any State on imports or exports, shall be for the use of the Treasury of the United States; and all such laws shall be subject to the revision and control of the Congress.

3. No State shall, without the consent of Congress, lay any duty of tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

ARTICLE II

SECTION 1. 1. The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and together with the Vice-President, chosen for the same term, be elected, as follows:

2. Each State shall appoint, in such manner as the Legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

3. [The electors shall meet in their respective States, and vote by ballot for two persons, of whom one at least shall not

be an inhabitant of the same State with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit sealed to the seat of government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose by ballot one of them for President; and if no person have a majority, then from the five highest on the list the said House shall in like manner choose the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. In every case, after the choice of the President, the person having the greatest number of votes of the electors shall be the Vice-President. But if there should remain two or more who have equal votes, the Senate shall choose from them by ballot the Vice-President.

4. The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

5. No person except a natural born citizen, or a citizen of the United States, at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years, and been fourteen years a resident within the United States.

6. In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice-President, and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice-President, declaring what officer shall then

act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

7. The President shall, at stated times, receive for his services, a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

8. Before he enter on the execution of his office, he shall take the following oath of affirmation:—

“I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will to the best of my ability preserve, protect and defend the Constitution of the United States.”

SECTION 2. 1. The President shall be Commander-in-chief of the Army and Navy of the United States, and of the militia of the several States, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment.

2. He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law; but the Congress may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law, or in the heads of departments.

3. The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

SECTION 3. He shall from time to time give to the Congress information of the State of the Union, and recommend to their consideration such measures as he shall judge necessary and

expedient; he may, on extraordinary occasions, convene both houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

SECTION 4. The President, Vice-President and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

ARTICLE III

SECTION 1. The judicial power of the United States, shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services, a compensation, which shall not be diminished during their continuance in office.

SECTION 2. 1. The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; — to all cases affecting ambassadors, other public ministers and consuls; — to all cases of admiralty and maritime jurisdiction; — to controversies to which the United States shall be a party; — to controversies between two or more States; — between a State and citizens of another State; — between citizens of different States; — between citizens of the same State claiming lands under grants of different States, and between a State, or the citizens thereof, and foreign States, citizens, or subjects.

2. In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be a party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such

exceptions, and under such regulations as the Congress shall make.

3. The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

SECTION 3. 1. Treason against the United States, shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

2. The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood or forfeiture except during the life of the person attainted.

ARTICLE IV

SECTION 1. Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State. And the Congress may by general laws prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof.

SECTION 2. 1. The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

2. A person charged in any State with treason, felony, or other crime, who shall flee from justice, and be found in another State, shall on demand of the executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

3. No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

SECTION 3. 1. New States may be admitted by the Congress into this Union; but no new State shall be formed or

erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States, or parts of States, without the consent of the Legislatures of the States concerned as well as of the Congress.

2. The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular State.

SECTION 4. The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion, and on application of the Legislature, or of the executive (when the Legislature cannot be convened) against domestic violence.

ARTICLE V

The Congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the Legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress, provided that no amendments which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

ARTICLE VI

All debts contracted and engagements entered into, before the adoption of this Constitution, shall be as valid against the United States under this Constitution as under the Confedera-

tion. This Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

The Senators and Representatives before mentioned, and the members of the several State Legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation, to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

ARTICLE VII

The ratification of the conventions of nine States, shall be sufficient for the establishment of this Constitution between the States so ratifying the same.

Done in convention by the unanimous consent of the States present the seventeenth day of September in the year of our Lord one thousand seven hundred and eighty-seven and of the independence of the United States of America the twelfth. In witness whereof, we have hereunto subscribed our names.

GEORGE WASHINGTON

President, and Deputy from Virginia

NEW HAMPSHIRE

John Langton

Nicholas Gilman

MASSACHUSETTS

Nathaniel Gorham

Rufus King

CONNECTICUT

William Samuel Johnson

Roger Sherman

THE CONSTITUTION

NEW YORK

Alexander Hamilton

NEW JERSEY

William Livingston

David Brearly

William Paterson

Jonathan Dayton

PENNSYLVANIA

Benjamin Franklin

Thomas Mifflin

Robert Morris

George Clymer

Thomas Fitzsimons

Jared Ingersoll

James Wislon

Gouverneur Morris

DELAWARE

George Read

Gunning Bedford, Jr.

John Dickinson

Richard Bassett

Jacob Broom

MARYLAND

James McHenry

Daniel of St. Thomas Jenifer

Daniel Carroll

VIRGINIA

John Blair

James Madison, Jr.

NORTH CAROLINA

William Blount

Richd. Dobbs Spaight

Hugh Williamson

SOUTH CAROLINA

John Rutledge

Chas. Cotesworth Pinckney

Charles Pinckney

Pierce Butler

GEORGIA

William Few

Abraham Baldwin

Attest: William Jackson, *Secretary*.ARTICLES IN ADDITION TO, AND AMENDMENT OF,
THE CONSTITUTION OF THE UNITED STATES
OF AMERICA

*Proposed by Congress, and ratified by the Legislatures of the
several States, pursuant to the fifth article of the original
Constitution*

ARTICLE I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

ARTICLE II

A well-regulated militia, being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed.

ARTICLE III

No soldier shall, in time of peace be quartered in any house without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

ARTICLE IV

The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the person or things to be seized.

ARTICLE V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life and limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

ARTICLE VI

In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

ARTICLE VII

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-

examined in any court of the United States, than according to the rules of the common law.

ARTICLE VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

ARTICLE IX

The enumeration in the Constitution of certain rights, shall not be construed to deny or disparage others retained by the people.

ARTICLE X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people.

ARTICLE XI

The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another State, or by citizens or subjects of any foreign State.

ARTICLE XII

The electors shall meet in their respective States, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President and of all persons voted for as Vice-

President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate; — The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted: — The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case [of the death or other constitutional disability of the President. — The person having the greatest number of votes as Vice-President shall be the Vice-President, if such number be a majority of the whole number of electors appointed and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

ARTICLE XIII

SECTION 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

SECTION 2. Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XIV

SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

SECTION 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

SECTION 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each house, remove such disability.

SECTION 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations, and claims shall be held illegal and void

SECTION 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

ARTICLE XV

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

SECTION 2. The Congress shall have power to enforce this article by appropriate legislation.

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